

WEDNESDAY, APRIL 11, 1990

EIGHTY-NINTH LEGISLATIVE DAY

The House met at 10:00 a.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by Dr. G. Ross Maroney, Sr., Stones River Baptist Church, Smyrna, Tennessee.

Representative Fred Hobbs led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 99

Representatives present were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 99.

ANNOUNCEMENT

The Speaker announced that, pursuant to request(s) under Rule No. 20, Representative Garrett was excused from session on Monday, April 9, 1990, due to personal business.

REPORTS FROM STANDING COMMITTEES

REPORT OF COMMITTEE ON CALENDAR AND RULES

April 10, 1990

MR. SPEAKER: Your Calendar and Rules Committee begs leave to report that we have met and set the following bills on the Regular Calendar for Wednesday, April 11, 1990: House Bill(s) No(s). 2360, 2078, 1572, 1570, 1845, 2533, 1943, 2003, 2250, 1159, 1987, 2654,

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1993, 120, 2531, 1322, 2658, 121, 2119, 2245, 2505 and 2270; House Resolution(s) No(s). 97; House Bill(s) No(s). 925; Senate Bill(s) No(s). 1657; House Bill(s) No(s). 2121, 2444, 2447, 2449, 1754, 2007, 2479, 1728, 2146, 2030, 1109 and 2088; House Joint Resolution(s) No(s). 735; House Bill(s) No(s). 2063; Senate Bill(s) No(s). 2502; also, House Joint Resolution(s) No(s). 729.

We further report that we have met and set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **Wednesday, April 11, 1990**: House Bill(s) No(s). 2253, 2598, 2021 and 2622; House Resolution(s) No(s). 99; House Joint Resolution(s) No(s). 759, 767, 766, 778, 786 and 787; House Bill(s) No(s). 2071, 2072, 2052, 2204, 1860, 1756 and 2454; House Joint Resolution(s) No(s). 726, 736 and 734; Senate Joint Resolution(s) No(s). 525; also, House Joint Resolution(s) No(s). 732 and 731.

PHILLIPS, Chairman.

FINANCE, WAYS AND MEANS COMMITTEE
April 10, 1990

MR. SPEAKER: Your Finance, Ways and Means Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 559, 1394 (with amendment), 1554, 1582 (with amendment), 1641, 1769 (with amendment), 1787 (with amendment), 1796 (with amendment), 1939 (with amendment), 1946 (with amendment), 1964, 1969, 2031, 2038, 2145, 2215 (with amendment), 2424, 2252 (with amendment), 2258 (with amendment), 2339 (with amendment), 2361 (with amendment), 2362 (with amendment), 2363 (with amendment), 2383 (with amendment), 2393 (with amendment), 2397 (with amendment), 2404 (with amendment), 2419 (with amendment), 2420, 2422 (with amendment), 2024 (with amendment), 2427, 2450 (with amendment), 2463, 2494 (with amendment), 2536 (with amendment), 2661, 2674, 2687 (with amendment), 1863 (with amendment), 2035 (with amendment), 2260 (with amendment), 2259 (with amendment) and 2541 (with amendment); for concurrence: Senate Joint Resolution(s) No(s). 452.

We further report that the following was/were considered but failed to pass: House Bill No. 2288.

BRAGG, Chairman.

Under the rules, House Bill(s) No(s). 559, 1394 (with amendment), 1554, 1582 (with amendment), 1641, 1769 (with amendment), 1787 (with amendment), 1796 (with amendment), 1939 (with amendment), 1946 (with amendment), 1964, 1969, 2031, 2038, 2145, 2215 (with amendment), 2424, 2252 (with amendment), 2258 (with amendment), 2339 (with amendment), 2361 (with amendment), 2362 (with amendment), 2363 (with amendment), 2383 (with amendment), 2393 (with amendment), 2397 (with amendment), 2404 (with amendment), 2419 (with amendment), 2420, 2422 (with amendment), 2024 (with amendment),

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2427, 2450 (with amendment), 2463, 2494 (with amendment), 2536 (with amendment), 2661, 2674, 2687 (with amendment), 1863 (with amendment), 2035 (with amendment), 2260 (with amendment), 2259 (with amendment) and 2541 (with amendment); also, Senate Joint Resolution(s) No(s). 452 was/were transmitted to the Calendar and Rules Committee.

MESSAGE FROM THE GOVERNOR

April 9, 1990

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 1604, 1802, 1803, 1975, 2345, 2428, 2509, 2513, 2615, 2629, 2633, 2642, 2643, 2647, 2648 and 2650; also, House Joint Resolution(s) No(s). 514, 596, 597, 692, 718, 719, 720, 721, 722, 723, 725, 745, 746, 747, 749, 750, 751, 752, 753, 754, 755, 756 and 784; with his approval.

DAVID H. WELLES,
Counsel to the Governor.

SIGNED

April 10, 1990

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 2350.

ENGROSSED BILLS

April 10, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 2368 and 2545; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENROLLED BILLS

April 10, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 1806 and 1850; House Resolution(s) No(s). 98, 100, 170, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188 and 189; also, House Joint Resolution(s) No(s). 798, 799, 800, 801, 802, 803, 806, 807, 808, 809, 810, 816 and 834; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

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MESSAGE FROM THE GOVERNOR

April 10, 1990

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 1798 and 2227, with his approval.

DAVID H. WELLES,
Counsel to the Governor.

SIGNED

April 10, 1990

The Speaker announced that he had signed the following: House Bill(s) No(s). 1806 and 1850; House Joint Resolution(s) No(s). 798, 799, 800, 801, 802, 803, 806, 807, 808, 809, 810, 816 and 834; also, House Resolution(s) No(s). 98, 100, 170, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188 and 189.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

REPORT OF COMMITTEE ON CALENDAR AND RULES

April 11, 1990

MR. SPEAKER: Your Calendar and Rules Committee begs leave to report that we have met and set the following bills on the Regular Calendar for Wednesday, April 11, 1990: House Bill(s) No(s). 2001, 2267, 1966, 2248, 1274 and 189; House Joint Resolution(s) No(s). 689; House Bill(s) No(s). 2230 and 1140; House Resolution(s) No(s). 141; House Bill(s) No(s). 2422, 2494, 2038, 1964, 2420, 2031, 2397, 1969, 2145, 2427, 2215, 1394, 2404, 2424, 2383, 1787, 2258, 2536, 559, 1946, 2419, 1939, 1796, 1582, 2362, 1641, 2363, 2024, 1769, 2450, 2252, 1554, 2393, 2687, 2541, 2035, 2259, 2260 and 2381.

We further report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Wednesday, April 11, 1990: House Bill(s) No(s). 1772; House Joint Resolution(s) No(s). 740, 327 and 757; Senate Joint Resolution(s) No(s). 492; House Resolution(s) No(s). 135; House Bill(s) No(s). 2657; House Joint Resolution(s) No(s). 788; Senate Joint Resolution(s) No(s). 440; House Joint Resolution(s) No(s). 724 and 785; Senate Joint Resolution(s) No(s). 421; House Bill(s) No(s). 2661 and 2674; also, Senate Joint Resolution(s) No(s). 452.

Pursuant to Rule No. 72, House Bill No. 1688 was referred to the Finance, Ways and Means Committee.

We further report that the following was/were considered and failed to pass: House Bill No. 2498.

PHILLIPS, Chairman.

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MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 33, 1614, 1621, 1658, 1803, 2010, 2058, 2139, 2164, 2197, 2357, 2445, 2489, 2498, 2512, 2518 and 2642; also, Senate Joint Resolution(s) No(s). 455 and 471; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1131, 2084, 2436 and 2515; also, House Joint Resolution(s) No(s). 527, 620, 678, 681, 695, 758, 760, 761, 762, 763, 764, 769, 772, 773, 774, 775, 776, 777 and 796; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1841, 1854, 1866, 2234, 2397, 2428, 2509 and 2528; also, Senate Joint Resolution(s) No(s). 262, 431, 457, 483, 518, 519, 520, 522, 526, 577, 581, 585, 586, 587, 588, 595, 605 and 609; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1806 and 1850; also, House Joint Resolution(s) No(s). 798, 799, 800, 801, 802, 803, 806, 807, 808, 809, 810, 816 and 834; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, House

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Bill(s) No(s). 1291, 2041, 2510, 2645, 2646, 2649, 2659, 2660, 2664 and 2668; also, House Joint Resolution(s) No(s). 780, 781, 782, 789, 790, 791, 792, 793, 794, 805, 823, 824, 825, 826, 827, 839 and 842; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2096, 2169, 2343, 2349, 2393, 2430, 2562, 2690, 2701, 2703 and 2711; also, Senate Joint Resolution(s) No(s). 105, 132, 270, 555, 558, 559, 561, 565, 566, 568, 569, 570, 573, 574, 578, 579, 582 and 590; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM SENATE

April 11, 1990

MR. SPEAKER: I am directed to request the return of House Bill No. 2646, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

April 11, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 1131, 1291, 1806, 1850, 2041, 2084, 2436, 2510, 2515, 2645, 2649, 2659, 2660, 2664 and 2668; also, House Joint Resolution(s) No(s). 527, 820, 678, 681, 695, 758, 760, 761, 762, 763, 764, 769, 772, 773, 774, 775, 776, 777, 780, 781, 782, 789, 790, 791, 792, 793, 794, 796, 798, 799, 800, 801, 802, 803, 805, 806, 807, 808, 809, 810, 816, 823, 824, 825, 826, 827, 834, 839 and 842; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2037; substituted for Senate Bill(s) on same

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subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 74; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2310; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2519; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2587; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, House

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Bill(s) No(s). 1701; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2231; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

*Senate Bill No. 2231 -- Hospitals and Health Care Facilities -- Increases cap on contingency or epidemic reserves required to be maintained by hospital services corporations. Amends TCA, Titles 56, 68.

MESSAGE FROM SENATE

April 11, 1990

MR. SPEAKER: I am directed to request the return of House Bill No. 74, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL RETURNED

There being no objection, Rep. Rhinehart asked that the Clerk be directed to return House Bill No. 74 to the Senate, as requested.

REGULAR CALENDAR

House Joint Resolution No. 0853 -- Memorials, Retirement -- Honors Representative Ralph Yelton on retirement.

Further consideration of House Joint Resolution No. 853, previously considered on April 5 and 9, 1990, at which time it was reset to the Calendar for April 11, 1990.

Rep. Robinson (Davidson) moved that House Joint Resolution No. 853 be adopted, with the request that all members voting aye added as sponsors, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin,

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Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Haltzman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

***House Joint Resolution No. 0007 -- Constitutional Amendments -- Restructures state taxes; provides for state and local income and sales and use taxes.**

Further consideration of House Joint Resolution No. 7, previously considered on May 17, 1989, and January 10, 1990, at which time Amendment No. 1 was adopted; it was further considered on April 2 and April 9, 1990, at which time it was reset to the Calendar for April 11, 1990.

CHAIR TO SPEAKER PRO TEMPORE

Mr. Speaker Murray relinquished the Chair to Rep. Scruggs, as Speaker pro tempore.

REGULAR CALENDAR, CONTINUED

Rep. Copeland moved that House Joint Resolution No. 7 be re-referred to the Calendar and Rules Committee, which motion prevailed.

***House Joint Resolution No. 0006 -- Constitutional Amendments -- Restructures state taxes; provides for state and local income and sales and use taxes; exemptions.**

Further consideration of House Joint Resolution No. 6, previously considered on May 17, 1989, and January 10, 1990, at which time Amendment No. 1 was adopted; it was further considered on April 2 and April 9, 1990, at which time it was reset to the Calendar for April 11, 1990.

Rep. Copeland moved that House Joint Resolution No. 6 be re-referred to the Calendar and Rules Committee, which motion prevailed.

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House Bill No. 1948 -- Public Officials -- Requires the suspension of certain state officials upon indictment for a felony offense. Amends TCA, Title 8.

Further consideration of House Bill No. 1948, previously considered on April 4, 1990, at which time it was reset to the Calendar for April 11, 1990.

Rep. Bivens moved that House Bill No. 1948 be re-referred to the Calendar and Rules Committee, which motion prevailed.

RESOLUTION WITHDRAWN

House Joint Resolution No. 0767 -- Naming and Designating -- Designates "Eugene L. Joyce Day".

On motion of Rep. Coffey, House Joint Resolution No. 767, set on the Consent Calendar for today, was withdrawn from the House.

REGULAR CALENDAR, CONTINUED

House Bill No. 2282 -- Criminal Offenses -- Revises criminal law. Amends TCA, Title 39.

Further consideration of House Bill No. 2282, previously considered on April 9, 1990, at which time it was reset to the Calendar for April 11, 1990.

Rep. Coffey moved that House Bill No. 2282 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 2282 by deleting Sections 1 and 2 in their entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-14-139(a) is amended by deleting the words "true name of the performer or group" and substituting instead the words "true name and address of the manufacturer and the name of the performer or group".

SECTION 2. Tennessee Code Annotated, Section 39-14-139 is amended by deleting subsection (c) in its entirety and substituting instead the following:

(c)(1) It is unlawful for any person to knowingly manufacture, transfer, record or store on any recorded device with the intent to sell for commercial advantage or financial gain, a live

performance knowing the live performance was recorded or stored without the consent of the owner of the live performance.

(c)(2) It is unlawful for any person to knowingly advertise, sell, rent, transport or possess with the intent to sell, rent or transport, for commercial advantage or private financial gain, a recorded device containing a live performance knowing that the live performance has been recorded or stored without the consent of the owner of the live performance.

(c)(3) As used in this section, "live performance" means the recitation, rendering or planing of a series of images and/or musical, spoken or other sounds in any audible sequence.

SECTION 3. Tennessee Code Annotated, Section 39-14-139 is amended by adding the following new subsection:

(d) A violation of this section is punishable as theft pursuant to 39-14-105.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 2 as follows:

Amendment No. 2

Amend House Bill No. 2282 by inserting a new Section 2 as follows and by renumbering the subsequent sections accordingly:

SECTION 2. Tennessee Code Annotated, Section 39-14-139 is amended by deleting subsection (b) in its entirety and substituting instead the following:

(b) Inventory possessed or transactions in violation of this section shall be aggregated for purposes of valuation.

On motion, Amendment No. 2 was adopted.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 3 as follows:

Amendment No. 3

Amend House Bill No. 2282 by adding the following as Section ____:

SECTION ____ Tennessee Code Annotated, Section 39-11-103, is amended by adding the following new subsection:

(d) If one or more elements of an offense are committed in one county and one or more elements in another, the offense may be prosecuted in either county. Offenses committed on the boundary of two (2) or more counties may be prosecuted in either county.

On motion, Amendment No. 3 was adopted.

Thereupon, Rep. Coffey moved that House Bill No. 2282, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 96.

A motion to reconsider was tabled.

House Bill No. 1584 -- Inheritance Laws -- Revises law on distribution of estate of intestate child. Amends TCA 31-2-104.

Further consideration of House Bill No. 1584, previously considered on February 14, March 7 and April 4, 1990, at which time it was reset to the Calendar for April 11, 1990.

Rep. Bivens moved that House Bill No. 1584 be re-referred to the Calendar and Rules Committee, which motion prevailed.

***Senate Bill No. 1942 -- Highway Signs -- Makes owner of a non-complying sign liable for certain damages and costs. Amends TCA 54-21-105.**

Further consideration of Senate Bill No. 1942, previously considered on March 21 and 28 and April 4, 1990, at which time it was substituted for House Bill No. 2407 and reset to the Calendar for April 11, 1990.

Rep. Bivens moved that Senate Bill No. 1942 be passed on third and final consideration.

Rep. Bivens moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 1942 by deleting the amendatory language of Section 1 and by substituting instead the following:

The owner of the structures shall be liable to the state for damages equal to three (3) times the cost of removal, in addition to any other applicable fees, costs or damages, but the owner of the land on which the sign is located shall not be presumed to be the owner of the sign simply because it is on the owner's property.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Bivens moved that Senate Bill No. 1942, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	82
Noes.	16

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Chiles, Coffey, Cole, Collier, Copeland, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Garrett, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, U. (Shelby), Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Williams, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 82.

Representatives voting no were: Callicott, Clark, Crain, Davidson, DePriest, Duer, Givens, Head, Hillis, Jones, R. (Shelby),

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Kent, Purcell, Ussery, Whitson, Winningham, Wix -- 16.

A motion to reconsider was tabled.

***Senate Joint Resolution No. 0466 -- Memorials, Congress -- Urges granting of relief to school systems from testing requirements in Commercial Driver's License Act of 1986.**

Rep. Bell moved that Senate Joint Resolution No. 466 be concurred in, which motion prevailed, with Representatives Williams, Stamps and Halteman recorded as voting no on the resolution.

A motion to reconsider was tabled.

***House Joint Resolution No. 0795 -- General Assembly, Statement of Intent or Position -- Endorses Adopt-A-Stream Project.**

Rep. Crain moved that House Joint Resolution No. 795 be adopted, which motion prevailed by the following vote:

Ayes.	95
Noes.	1

Representatives voting aye were: Anderson, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

Representatives voting no were: Stamps -- 1.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from no to aye on House Joint Resolution No. 795 and have this statement entered in the Journal.

Rep. Randy Stamps

REGULAR CALENDAR, CONTINUED

*House Bill No. 1611 -- Sunset Laws -- Extends termination date of Tennessee film, entertainment, and music commission. Amends TCA, Title 4, Chs. 3, 29; Title 7, Ch. 59.

Further consideration of House Bill No. 1611, previously considered on March 8, 1990, at which time it was referred to the Calendar and Rules Committee. On April 10, 1990, the Calendar and Rules Committee placed it on the Regular Calendar for April 11, 1990.

On motion, House Bill No. 1611 was made to conform with Senate Bill No. 1723.

On motion, Senate Bill No. 1723, on same subject, was substituted for House Bill No. 1611.

Rep. King moved that Senate Bill No. 1723 be passed on third and final consideration.

On motion, Rep. King withdrew Amendment No. 1.

Rep. King moved that Senate Bill No. 1723 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Garrett, Givens, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

House Bill No. 2044 -- Correction, Dept. of -- Deletes requirement that warden of women's prison must be female. Amends TCA, Title 41.

On motion, House Bill No. 2044 was made to conform with Senate Bill No. 2213.

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On motion, Senate Bill No. 2213, on same subject, was substituted for House Bill No. 2044.

Rep. King moved that Senate Bill No. 2213 be passed on third and final consideration.

On motion, Rep. King withdrew Government Operations Committee Amendment No. 1.

Rep. King moved to amend as follows:

Amendment No. 2

Amend Senate Bill No. 2213 by adding the following as a new section and renumbering the effective date section accordingly:

Section 2. Tennessee Code Annotated, Section 41-1-104, is amended by deleting subsection (C) in its entirety.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. King moved that Senate Bill No. 2213, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	5
Present and not voting	1

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Duer, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kiaber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 91.

Representatives voting no were: DeBerry, Harrill, Herron, Robinson (Davidson), Turner (Hamilton) -- 5.

Representatives present and not voting were: Winningham -- 1.

A motion to reconsider was tabled.

***Senate Joint Resolution No. 0448 -- Memorials, Congress -- Urges study of feasibility of straightening US 129 from Maryville to North Carolina line.**

Rep. Anderson moved that Senate Joint Resolution No. 448 be concurred in.

Rep. Robinson (Davidson) moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Joint Resolution No. 448 by deleting the second and third resolving clauses in their entirety and by substituting instead the following resolving clause:

BE IT FURTHER RESOLVED, That the Clerk is directed to transmit a copy of this resolution to each member of the Tennessee delegation to the U. S. Congress.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Anderson moved that Senate Joint Resolution No. 448, as amended, be concurred in, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

House Bill No. 2375 -- Housing -- Revises housing law. Amends TCA 67-5-207.

Rep. Head moved that House Bill No. 2375 be passed on third and final consideration.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.

Rep. Head moved to amend as follows:

Amendment No. 1

Amend House Bill No. 2375 by deleting Sections 1 and 2 in their entirety and substituting instead the following new Sections:

SECTION 1. Tennessee Code Annotated, Section 67-5-207, is amended in subsection (a), item (1), by deleting the words "such not-for-profit corporations" and substituting instead the words and figures "any projects of such not-for-profit corporations which exceed twelve (12) units".

SECTION 2. Tennessee Code Annotated, Section 67-5-207, is amended in subsection (a) by adding the following new sentence to the end of item (1):

Such payment shall not be required from any project occupied prior to January 1, 1990; provided, however, that this shall not be construed to negate any valid agreements concerning payments in-lieu-of-taxes already approved by all parties.

SECTION 3. This act shall take effect on becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Head moved that House Bill No. 2375, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	0

Representatives voting aye were: Anderson, Austin, Bell, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cooke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West,

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Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton,
Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on House Bill No. 2375 and have this statement entered in the Journal.

Rep. H. E. Bittle

REGULAR CALENDAR, CONTINUED

*House Joint Resolution No. 0686 -- Memorials, Government Officials -- Urges DOT to study traffic needs and improvements for Halls Crossroads, including Highway 33, Emory Road and Norris Freeway.

Rep. Davis (Knox) moved that House Joint Resolution No. 686 be adopted, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

ENGROSSED BILLS April 11, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 2282 and 2375; also, House Joint Resolution(s) No(s). 686, 795 and 853; and find

same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

REGULAR CALENDAR, CONTINUED

*House Bill No. 2387 -- Gas, Petroleum Products, Volatile Oils -- Increases civil penalties for violations of Tennessee Petroleum Underground Storage Tank Act. Amends TCA, Title 67; Title 68, Ch. 53.

Rep. Stallings moved that House Bill No. 2387 be passed on third and final consideration.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 2387 by deleting all the language in its entirety following the enacting clause, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 68-53-110, is amended by adding the following new subsection to be designated as follows:

(h) To provide for the stability of the petroleum underground storage tank fund, there is hereby levied, in addition to all other fees or taxes, an environmental assurance fee of four-tenths of one cent (0.4¢) per gallon on each gallon of petroleum products imported into the state. The environmental assurance fee is for the purpose of assuring sufficient funding of emergency, preventive, or corrective actions necessary when public health or safety is, or potentially may be, threatened from any release of regulated substances from an underground storage tank or the use and service thereof. This environmental assurance fee shall be paid and remitted to the department of revenue for the board on a monthly basis at the same time and in the same manner that the special tax on petroleum products is paid and remitted pursuant to Tennessee Code Annotated, Title 67, Chapter 3, Part 9. Such environmental assurance fees are due by the twentieth (20th) day of the month following the close of business of the previous month. Any petroleum product which is subsequently exported from the state is exempt from this fee. Political subdivisions, governmental bodies and agencies are exempt, in the same manner as provided in Tennessee Code Annotated, Title 67, Chapter 3, Part 4, from the payment of the environmental assurance fee

levied by this act. The terms "political subdivision", "governmental bodies" and "agencies" shall have the same meaning as defined in Tennessee Code Annotated, Section 67-3-401(b).

SECTION 2. Tennessee Code Annotated, Section 68-53-110, is amended in subsection (e) by deleting the words and figures "five million dollars (\$5,000,000)" and substituting instead the following new words and figures "fifty million dollars (\$50,000,000)".

SECTION 3. Tennessee Code Annotated, Section 68-53-110, is amended in subsection (b) by adding the following language at the end of the subsection:

Any deposits to the fund which would result in the balance of the fund exceeding fifty million dollars (\$50,000,000) shall be transferred to the highway fund.

SECTION 4. Tennessee Code Annotated, Section 68-53-111, is amended in subdivision (e)(1) by deleting the third sentence in its entirety and by substituting instead the following language:

The initial owner and/or operator financial responsibility for cleanup for any petroleum site for an occurrence shall be as follows:

<u>Number of tanks</u>	<u>Amt. of responsibility</u>
1 to 12	\$10,000.00
13 to 999	\$20,000.00
1,000 and above	\$50,000.00

Section 68-53-111 is further amended by deleting in its entirety the fourth sentence of subdivision (e)(1).

SECTION 5. Tennessee Code Annotated, Section 68-53-111, is amended in subdivision (e)(2) by deleting the third sentence in its entirety and by substituting instead the following language:

The initial owner and/or operator financial responsibility for third party claims for any petroleum site for an occurrence shall be as follows:

<u>Number of tanks</u>	<u>Amt. of responsibility</u>	
1 to 12	\$10,000.00	
13 to 999	<u>not less than</u> \$25,000.00	<u>nor more than</u> \$50,000.00
1,000 and above	\$150,000.00	\$300,000.00.

Section 68-53-111 is further amended by deleting in its entirety the sixth sentence of subdivision (e)(2).

SECTION 6. Tennessee Code Annotated, Section 68-53-111, is amended by adding the following language as a new, appropriately designated subsection:

() All claims against the fund are clearly obligations only of the fund and not of the state, and any amounts required to be paid under this part are subject to the availability of sufficient monies in the fund. The full faith and credit of the state shall not in any way be pledged or considered to be available to guarantee payment from such fund.

SECTION 7. Tennessee Code Annotated, Title 68, Chapter 53, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section _____. The department of health and environment shall during 1995 re-evaluate the petroleum underground storage tank program pursuant to the provisions of this part and report its findings and recommendations to the general assembly on or before December 31, 1995.

SECTION 8. Tennessee Code Annotated, Section 68-53-109(1), is amended in the second sentence by deleting the words, figures and punctuation "one hundred dollars (\$100)", and by substituting instead the words, figures and punctuation "one hundred twenty-five dollars (\$125)"; and by deleting the third sentence in its entirety, and by substituting instead the following language:

The fee for each petroleum underground storage tank shall be one hundred twenty-five dollars (\$125) per tank the first year this act is effective.

SECTION 9. This act shall take effect on becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Stallings moved to amend as follows:

Amendment No. 2

Amend House Bill No. 2387 by deleting from the amendatory language of Section 1 the fifth sentence and by substituting instead the following:

Any petroleum product which is subsequently exported from the state by diesel locomotives, vessels, or commercial airplanes carrying passengers or property as set forth in Tennessee Code Annotated, Section 67-3-910 is exempt from this fee.

On motion, Amendment No. 2 was adopted.

Rep. Stallings moved that House Bill No. 2387, as amended, be passed on third and final consideration.

Rep. Bell moved the previous question, which motion failed by the following vote:

Ayes.	45
Noes.	41
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Collier, Cross, Curlee, Davis (Cocke), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Harrill, Henry (Roane), Herron, Hillis, Hobbs, Huskey, Jones, R. (Shelby), King, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Naifeh, Napier, Peroulas, Phillips, Pinion, Severance, Shirley, Sipes, Ussery, Webb, Wheeler, Whitson, Winningham, Wix, Yelton -- 45.

Representatives voting no were: Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Cole, Crain, Davidson, Davis (Knox), Givens, Gunnels, Halteman, Hassell, Haun, Henry (Putnam), Holcomb, Holt, Hubbard, Jackson, Kent, Kernell, Moody, Moore (Shelby), Niceley, Nuber, Odom, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Stamps, Turner, C. (Shelby), Turner, L. (Shelby), West, Williams, Wolfe, Wood -- 41.

Representatives present and not voting were: Good -- 1.

Rep. Stallings moved that House Bill No. 2387, as amended, be passed on third and final consideration.

Rep. Burnett moved the previous question, which motion failed by the following vote:

Ayes.	56
Noes.	29
Present and not voting.	3

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Collier, Copeland, Curlee, Davis (Cocke), DePriest, Dixon, Duer, Garrett, Gunnels, Haun, Head, Henry (Roane), Herron, Hillis, Hobbs, Holt, Huskey, Kent, King, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Peroulas, Phillips, Pinion, Pruitt, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stallings, Starnes, Turner, L. (Shelby), Webb, Whitson, Winningham, Wix, Yelton -- 56.

Representatives voting no were: Byrd, Cain, Callicott, Coffey, Crain, Davidson, Davis (Knox), DeBerry, Givens, Halteman, Harrill, Hassell, Henry (Putnam), Holcomb, Hubbard, Jackson, Jones, R. (Shelby), Kernell, Moody, Moore (Shelby), Odom, Rhinehart, Stamps, Turner, C. (Shelby), West, Wheeler, Williams, Wolfe, Wood -- 29.

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Representatives present and not voting were: Clark, Good, Purcell -- 3.

Rep. Garrett moved the previous question, which motion failed by the following vote:

Ayes.	55
Noes.	36
Present and not voting.	2

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bragg, Burnett, Byrd, Cain, Chiles, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Knox), DePriest, Dixon, Duer, Gaia, Garrett, Haun, Head, Henry (Roane), Herron, Hillis, Holt, Huskey, Jones, U. (Shelby), Kent, King, Kisber, Love, McAfee, Moore (Lawrence), Nalfah, Napier, Peroulas, Phillips, Pinion, Pruitt, Robinson (Davidson), Robinson (Washington), Severance, Sipes, Stallings, Starnes, Turner (Hamilton), Ussery, Webb, Whitson, Winningham, Wix, Yelton -- 55.

Representatives voting no were: Bivens, Buck, Callicott, Clark, Coffey, DeBerry, Givens, Gunnels, Halteman, Harrill, Hassell, Henry (Putnam), Hobbs, Holcomb, Jackson, Jones, R. (Shelby), Kernell, McDaniel, Moody, Moore (Shelby), Niceley, Nuber, Odom, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Shirley, Stamps, Turner, C. (Shelby), Turner, L. (Shelby), West, Wheeler, Williams, Wolfe, Wood -- 36.

Representatives present and not voting were: Good, Hubbard -- 2.

Rep. Wood moved that the amendments lying on the desk be considered, which motion prevailed.

Rep. Coffey moved to amend as follows:

Amendment No. 3

Amend House Bill No. 2387 by deleting from Section 1 the first sentence and by substituting instead the following:

To provide for the stability of the petroleum underground storage tank fund, the funding shall be made from the state's share of the gasoline tax increase imposed by Public Chapters 46 and 241 of 1989, and such funding shall be considered to be an environmental assurance fee.

Rep. Bragg moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes.	54
Noes.	35

Representatives voting aye were: Anderson, Austin, Bell,

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Bittle, Bivens, Bragg, Buck, Burnett, Collier, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DePriest, Duer, Gaia, Garrett, Givens, Good, Head, Henry (Roane), Hillis, Hobbs, Holt, Huskey, Jackson, Kent, Kisber, Love, Moore (Lawrence), Naifeh, Napier, Peroulas, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stallings, Turner (Hamilton), Ussery, Webb, Whitson, Winningham, Wix, Wood, Yelton, Mr. Speaker Murray -- 54.

Representatives voting no were: Burchfield, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cross, Davis (Knox), Dixon, Gunnels, Halteman, Harrill, Hassell, Henry (Putnam), Herron, Holcomb, Hubbard, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, McDaniel, Moody, Moore (Shelby), Niceley, Nuber, Odom, Purcell, Shirley, Sipes, Stamps, Turner, C. (Shelby), West, Williams, Wolfe -- 35.

Rep. Haun moved the previous question, which motion prevailed by the following vote:

Ayes.	76
Noes.	15
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Good, Halteman, Hassell, Haun, Head, Henry (Putnam), Herron, Hillis, Hobbs, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Starnes, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Winningham, Wix, Yelton, Mr. Speaker Murray -- 76.

Representatives voting no were: Cain, Callicott, Davis (Knox), Gunnels, Harrill, Holcomb, Hubbard, Jackson, Moore (Shelby), Niceley, Pruitt, Turner, C. (Shelby), Williams, Wolfe, Wood -- 15.

Representatives present and not voting were: Kernell -- 1.

Thereupon, Rep. Stallings moved that House Bill No. 2387, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	59
Noes.	33
Present and not voting.	3

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Burnett, Callicott, Collier, Copeland, Crain, Cross, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest,

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Dixon, Duer, Gaia, Garrett, Good, Gunnels, Hassell, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Huskey, Jones, R. (Shelby), Kent, Kernell, King, Kisber, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nuber, Peroulas, Phillips, Rhinehart, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Stallings, Starnes, Turner, L. (Shelby), Ussery, Webb, Wheeler, Whitson, Williams, Winningham, Wix, Yelton -- 59.

Representatives voting no were: Austin, Buck, Burchfield, Byrd, Cain, Chiles, Clark, Coffey, Curlee, Davis (Knox), Givens, Halteman, Harrill, Haun, Herron, Holcomb, Holt, Jackson, McAfee, Moody, Niceley, Odom, Pruitt, Purcell, Ridgeway, Shirley, Sipes, Stamps, Turner (Hamilton), Turner, C. (Shelby), West, Wolfe, Wood -- 33.

Representatives present and not voting were: Hubbard, Pinion, Robinson (Hamilton) -- 3.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE
April 11, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1319 and 1830; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Bill No. 1319 -- Motor Vehicles -- Revises time limit for motor vehicle dealers to report changes in labor rates to motor vehicle commission. Amends TCA, Titles 39, 47, 55.

*Senate Bill No. 1830 -- Motor Vehicles -- Increases civil penalty for violations of laws or regulations on motor vehicles sales licenses. Amends TCA, Title 55.

MESSAGE FROM THE SENATE
April 11, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 564 and 638; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0564 -- Memorials, Public Service -- Honors Don Arnold on retirement from state Senate.

Senate Joint Resolution No. 0638 -- Memorials, Interns -- Honors Joseph Michael Koury, 1990 bill clerk and legislative assistant.

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MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2444 and 2446; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

*Senate Bill No. 2444 -- Financial Disclosure -- Requires certain reports to registry to be made by telegram. Amends TCA, Title 2, Ch. 10.

*Senate Bill No. 2446 -- Financial Disclosure -- Requires reporting of honoraria and travel expenses on conflict of interest statement. Amends TCA, Title 8, Ch. 50, Pt. 5.

RULES SUSPENDED

Rep. Naifeh moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 920 out of order, which motion prevailed.

House Joint Resolution No. 0920 -- General Assembly, Adjournment, Recess -- Provides for sine die adjournment of 96th General Assembly. by *Naifeh, *Chiles.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Naifeh, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Naifeh moved to suspend Rule No. 59 to allow all bills lying on the desk with Senate messages to be heard on a Message Calendar immediately after lunch, which motion prevailed.

RULES SUSPENDED

Rep. Naifeh moved to suspend Rule No. 17, so that all congratulatory and memorializing resolutions lying on the desk be introduced and placed on a supplemental consent calendar to be considered before lunch, which motion prevailed.

RULES SUSPENDED

Rep. Starnes moved to suspend Rule No. 81(1), relative to the time for placing bills on notice in Committee, so that House Bill

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No. 2272 can be heard by the General Welfare Committee today, which motion prevailed.

RULES SUSPENDED

Rep. Love moved to suspend Rule No. 81(1), relative to the time for placing bills on notice in Committee, so that House Bill(s) No(s). 2670 and 1784 can be heard by the State and Local Government Committee today, which motion prevailed.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 596 and 597; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0596 -- Memorials, Interns -- Commends Kevin J. O'Connor, 1990 legislative intern.

Senate Joint Resolution No. 0597 -- Memorials, Interns -- Commends Traci Marcena Otey, 1990 legislative intern.

SUPPLEMENTAL CONSENT CALENDAR

House Resolution No. 0190 -- Memorials, Interns -- Commends Christine Noel Lockhart, 1990 legislative intern. by *Hassell, *Nuber.

Introduced; placed on supplemental consent calendar.

House Resolution No. 0205 -- Memorials, Public Service -- Congratulates Denny Hanna on exquisite hospitality. by *Hassell.

Introduced; placed on supplemental consent calendar.

House Resolution No. 0206 -- Memorials, Interns -- Honors Juliana Harper, 1990 legislative intern. by *Halteman, *Wolfe, *Copeland.

Introduced; placed on supplemental consent calendar.

House Resolution No. 0207 -- Memorials, Sports -- Honors Coach Randy Carroll and Gibbs High School football team. by *Davis J K.

Introduced; placed on supplemental consent calendar.

House Resolution No. 0208 -- Memorials, Interns -- Commends Margaret Ann Jernigan, 1990 legislative intern. by *Bragg, *Clark, *Ridgeway.

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Introduced; placed on supplemental consent calendar.

House Resolution No. 0209 -- Memorials, Interns -- Commends Richard John Oelhafen, Jr., 1990 legislative intern. by *Bragg, *Clark, *Ridgeway.

Introduced; placed on supplemental consent calendar.

House Resolution No. 0210 -- Memorials, Recognition -- Honors House staff and joint offices. by *Burnett.

Introduced; placed on supplemental consent calendar.

House Resolution No. 0211 -- Memorials, Recognition -- Honors state telephone operators. by *Burnett, *Cain, *Head.

Introduced; placed on supplemental consent calendar.

House Resolution No. 0212 -- Memorials, Professional Achievement -- Honors Ruth Campbell as Tennessee's "Applied Economic Teacher of the Year". by *Turner L.

Introduced; placed on supplemental consent calendar.

House Resolution No. 0213 -- Memorials, Public Service -- Honors Muriel V. S. Mitchell and Colegio Coronet Hall. by *King, *Jones U, *Coffey, *Herron, *Rhinehart, *Hillis, *Shirley, *Ussery, *Nuber, *Pruitt, Halteman, Davidson, Jones R, Harrill, Hubbard, Whitson, Ridgeway, Robinson Ruth, Davis R E, Haun, Burchfield, Starnes, Wood, Robinson C B, Severance.

Introduced; placed on supplemental consent calendar.

House Resolution No. 0215 -- Memorials, Sports -- Expresses appreciation to Clyde Belew, Gleason School athletics supporter. by *Herron.

Introduced; placed on supplemental consent calendar.

House Joint Resolution No. 0901 -- Memorials, Personal Occasion -- Celebrates fiftieth wedding anniversary of James Leonard and Dot Whittington. by *Byrd.

Introduced; placed on supplemental consent calendar.

House Joint Resolution No. 0902 -- Memorials, Recognition -- Honors John L. Parish of Tullahoma. by *Curlee.

Introduced; placed on supplemental consent calendar.

House Joint Resolution No. 0903 -- Memorials, Retirement -- Honors Marvin Lane. by *McAfee.

Introduced; placed on supplemental consent calendar.

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House Joint Resolution No. 0904 -- Memorials, Recognition -- Honors Beech Elementary students who completed D.A.R.E. program. by *Stamps.

Introduced; placed on supplemental consent calendar.

House Joint Resolution No. 0905 -- Memorials, Recognition -- Honors Millersville Elementary students who completed D.A.R.E. program. by *Stamps.

Introduced; placed on supplemental consent calendar.

House Joint Resolution No. 0907 -- Memorials, Sports -- Honors Tex Bardwell, All-State West Carroll High School basketball player. by *Herron.

Introduced; placed on supplemental consent calendar.

House Joint Resolution No. 0908 -- Memorials, Sports -- Honors Coach David Byrd and Wayne County High School girls' basketball team. by *McDaniel.

Introduced; placed on supplemental consent calendar.

House Joint Resolution No. 0909 -- Memorials, Interns -- Honors Alice Benton, intern for the governor's office. by *Naifeh.

Introduced; placed on supplemental consent calendar.

House Joint Resolution No. 0910 -- Memorials, Recognition -- Honors Claude Isaiah Johnson for work in law enforcement. by *Naifeh.

Introduced; placed on supplemental consent calendar.

House Joint Resolution No. 0911 -- Memorials, Recognition -- Recognizes contributions of Tulip Street United Methodist Church. by *Purcell.

Introduced; placed on supplemental consent calendar.

House Joint Resolution No. 0912 -- Memorials, Public Service -- Honors Paul Scruggs for service to General Assembly. by *Davis J K, *Armstrong, *Peroulas, *Bittle, *Severance, *Burchfield.

Introduced; placed on supplemental consent calendar.

House Joint Resolution No. 0913 -- Memorials, Congratulations -- Congratulates U. S. government class at Upperman High School on winning state National Bicentennial Competition on the Constitution and Bill of Rights. by *Henry Dwight.

Introduced; placed on supplemental consent calendar.

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House Joint Resolution No. 0914 -- Memorials, Personal Occasion -- Honors Barbara Newcomb and Harley Earnest Bittle on 30th wedding anniversary. by *Jones U, *Armstrong, *Cain, *Moore C.

Introduced; placed on supplemental consent calendar.

House Joint Resolution No. 0915 -- Memorials, Sports -- Honors Pickett County High School basketball star Rhea Ellen Beaty. by *Winningham.

Introduced; placed on supplemental consent calendar.

House Joint Resolution No. 0916 -- Memorials, Public Service -- Honors Giles Countians United for promoting racial unity. by *DePriest.

Introduced; placed on supplemental consent calendar.

House Joint Resolution No. 0918 -- Memorials, Interns -- Honors Guy R. Jones, 1990 legislative intern. by *Naifeh.

Introduced; placed on supplemental consent calendar.

House Joint Resolution No. 0919 -- Memorials, Interns -- Honors Kelly McCreight, 1990 legislative intern. by *Naifeh.

Introduced; placed on supplemental consent calendar.

House Joint Resolution No. 0921 -- Memorials, Retirement -- Honors Charles Edward Greene. by *Hillis, *McAfee, *Murray, *Rhinehart, *Wix, *DePriest.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0564 -- Memorials, Public Service -- Honors Don Arnold on retirement from state Senate.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0638 -- Memorials, Interns -- Honors Joseph Michael Koury, 1990 bill clerk and legislative assistant.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0596 -- Memorials, Interns -- Commends Kevin J. O'Connor, 1990 legislative intern.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0597 -- Memorials, Interns -- Commends Traci Marcena Otey, 1990 legislative intern.

Introduced; placed on supplemental consent calendar.

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Rep. Naifeh moved that all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed.

A motion to reconsider was tabled.

HOUSE BILL RETURNED

There being no objection, Rep. Ussery asked that the Clerk be directed to return House Bill No. 2646 to the Senate as requested.

RULES SUSPENDED

Rep. Rhinehart moved to suspend Rule No. 81(1), relative to the time for placing bills on notice in Committee, so that House Bill(s) No(s). 2272, 2288 and 2685 can be heard by the Finance, Ways and Means Committee and subcommittee today, which motion prevailed.

RULES SUSPENDED

Rep. Phillips moved to suspend Rule No. 81(1), relative to the time for placing bills on notice in Committee, so that House Bill(s) No(s). 1784, 2272, 2288, 2670 and 2685 can be heard by the Calendar and Rules Committee today, which motion prevailed.

MOTION TO RECESS

Rep. Moore (Shelby) moved that, pursuant to Rule No. 76, the House stand in recess until 2:00 p.m., which motion prevailed by the following vote:

Ayes.	70
Noes.	12
Present and not voting.	1

Representatives voting aye were: Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Clark, Coffey, Cole, Copeland, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Dixon, Duer, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Hobbs, Holcomb, Huskey, Jackson, Jones, U. (Shelby), Kent, King, Kisber, Love, McDaniel, Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Peroulas, Phillips, Pinion, Pruitt, Rhinehart, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Yelton -- 70.

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Representatives voting no were: Anderson, Armstrong, Collier, Crain, Cross, DePriest, Herron, Hillis, Holt, Moore (Lawrence), Ridgeway, Stallings -- 12.

Representatives present and not voting were: Purcell -- 1.

GENERAL WELFARE COMMITTEE

April 11, 1990

MR. SPEAKER: Your General Welfare Committee begs leave to report that we have carefully considered and recommend that House Bill(s) No(s). 2272 (with amendment) be referred to the Finance, Ways and Means Committee.

STARNES, Chairman.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 2272 (with amendment), to the Finance, Ways and Means Committee.

FINANCE, WAYS AND MEANS

April 11, 1990

MR. SPEAKER: Your Finance, Ways and Means Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 2272 (with amendment), 2288 and 2685.

BRAGG, Chairman.

Under the rules, House Bill(s) No(s). 2272 (with amendment), 2288 and 2685; was/were transmitted to the Calendar and Rules Committee.

STATE AND LOCAL GOVERNMENT COMMITTEE

April 11, 1990

MR. SPEAKER: Your State and Local Government Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 1784 (with amendment) and 2670.

LOVE, Chairman.

Under the rules, House Bill(s) No(s). 1784 (with amendment) and 2670, was/were transmitted to the Calendar and Rules Committee.

REPORT OF COMMITTEE ON CALENDAR AND RULES

April 11, 1990

MR. SPEAKER: Your Calendar and Rules Committee begs leave to report that we have met and set the following bills on the Regular

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Calendar for Thursday, April 12, 1990: House Bill(s) No(s). 2272, 2288, 2670, 2339, 2685 and 1784.

PHILLIPS, Chairman.

**MESSAGE FROM THE SENATE
April 11, 1990**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2367; passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,
Chief Clerk.**

***Senate Bill No. 2367 -- Gambling -- Includes futures and commodities trading within "lawful business transaction" exclusion to gambling laws. Amends TCA, Title 39, Ch. 17, Pt. 5.**

**MESSAGE FROM THE SENATE
April 11, 1990**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2538; passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,
Chief Clerk.**

Senate Bill No. 2538 -- DUI/DWI Offenses -- Increases fine; allocates proceeds for treatment and rehabilitation of certain persons who suffer traumatic head injuries. Amends TCA, Title 49, Ch. 11, Pt. 6; Title 55, Ch. 10, Pt. 4.

**MESSAGE FROM THE SENATE
April 11, 1990**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 614, 615, 616, 617, 618, 619, 620, 621, 625, 629 and 630; adopted for concurrence.

**CLYDE W. McCULLOUGH, JR.,
Chief Clerk.**

Senate Joint Resolution No. 0614 -- Memorials, Sports -- Honors Moore County High School Raiderettes basketball team.

Senate Joint Resolution No. 0615 -- Memorials, Sports -- Honors Coffee County Central High School cheerleaders.

Senate Joint Resolution No. 0616 -- Naming and Designating -- Designates March 9, 1990 as "Allen & Hoshall Day".

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Senate Joint Resolution No. 0617 -- Naming and Designating --
Designates May 5-12 as Dr. Harry Guffey Week in Williamson County.

Senate Joint Resolution No. 0618 -- Memorials, Interns --
Commends Roderick Glatt, 1990 legislative intern.

Senate Joint Resolution No. 0619 -- Memorials, Retirement --
Honors Judge James M. Haynes of Knoxville.

Senate Joint Resolution No. 0620 -- Memorials, Interns -- Honors
Shelly Morris, 1990 legislative intern.

Senate Joint Resolution No. 0621 -- Memorials, Interns -- Honors
Michael Alan Belz, 1990 legislative intern.

Senate Joint Resolution No. 0625 -- Memorials, Sports -- Honors
Moore County High School Raiders basketball team.

Senate Joint Resolution No. 0629 -- Memorials, Recognition --
Commends Associate Degree Nursing Program at Middle Tennessee State University.

Senate Joint Resolution No. 0630 -- Memorials, Interns -- Honors
Libby Ann Fogg, 1990 legislative intern.

ENGROSSED BILLS

April 11, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 901, 902, 903, 904, 905, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 918, 919 and 921; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2507; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2092; substituted for Senate Bill(s) on same

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subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2187, 2591, 2606, 2614, 2627, 2655, 2667, 2675, 2676, 2677 and 2678; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Bill No. 74.

The Senate lifted the tabling motion, reconsidered passage of the bill, reconsidered adoption of Amendment No. 1, withdrew Amendment No. 1, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 575, 576, 594, 598, 599, 600, 601, 602, 603, 606, 607, 608, 610, 612, 632, 633, 634, 636, 637, 639 and 640; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Joint Resolution No. 0575 -- Highway Signs -- Designates certain portion of US Highway 22 as "General Clifton B. Cates Memorial Highway".**

***Senate Joint Resolution No. 0576 -- Highway Signs -- Designates portion of U.S. Highway 78 as "Carl Perkins Parkway".**

***Senate Joint Resolution No. 0594 -- General Assembly, Studies -- Directs council on pensions and insurance to conduct study relative to sick leave policies.**

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Senate Joint Resolution No. 0598 -- Memorials, Condolence -- Honors memory of Willie Mae Hopkins Cosby.

Senate Joint Resolution No. 0599 -- Memorials, Public Service -- Honors Patricia Danner.

Senate Joint Resolution No. 0600 -- Memorials, Interns -- Honors Susan Tucker, 1990 legislative page.

Senate Joint Resolution No. 0601 -- Memorials, Interns -- Honors Taylor Latham, 1990 legislative intern.

Senate Joint Resolution No. 0602 -- Memorials, Recognition -- Honors Alethia Armstrong, research analyst.

Senate Joint Resolution No. 0603 -- Memorials, Interns -- Commends Rodrick Glatt, 1990 legislative intern.

Senate Joint Resolution No. 0606 -- Memorials, Congratulations -- Honors Pleasant Ridge Elementary School, candidate for National Elementary School Recognition Program.

Senate Joint Resolution No. 0607 -- Memorials, Recognition -- Honors Winford Pipkins, Sergeant at Arms.

Senate Joint Resolution No. 0608 -- Memorials, Recognition -- Honors Virginia Neal, interpreter for Senator Avon Williams.

Senate Joint Resolution No. 0610 -- Memorials, Sports -- Honors Coach Rick Insell and Shelbyville High School girl's basketball team, TSSAA Class AAA state champions.

Senate Joint Resolution No. 0612 -- Memorials, Public Service -- Honors J. C. Eoff for years of service to Tullahoma.

Senate Joint Resolution No. 0632 -- Memorials, Recognition -- Honors Watertown Elementary Students who completed D.A.R.E. program.

Senate Joint Resolution No. 0633 -- Memorials, Recognition -- Honors Lakeview Elementary students who completed D.A.R.E. program.

Senate Joint Resolution No. 0634 -- Memorials, Interns -- Commends Wesley Forrest Dodge, 1990 legislative intern.

Senate Joint Resolution No. 0636 -- Memorials, Interns -- Commends Ashley Fitch, 1990 legislative intern.

Senate Joint Resolution No. 0637 -- Memorials, Interns -- Honors Maija Kristina Raattama, 1990 legislative intern.

Senate Joint Resolution No. 0639 -- General Assembly, Proclamations -- Proclaims 1990 as Year of Woman Suffrage.

Senate Joint Resolution No. 0640 -- Memorials, Interns -- Expresses appreciation to Jennifer Rowley, 1990 legislative page/intern.

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Murray.

On motion of Rep. Naifeh, the roll call was dispensed with.

RULES SUSPENDED

Rep. Chiles moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 917 out of order, which motion prevailed.

House Joint Resolution No. 917 -- Memorials, Retirement -- Honors Clyde Webb for contributions to General Assembly. by *Chiles.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Chiles, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on House Joint Resolution No. 917 and have this statement entered in the Journal.

Rep. Ralph Yelton

WEDNESDAY, APRIL 11, 1990 -- EIGHTY-NINTH LEGISLATIVE DAY

REGULAR CALENDAR, CONTINUED

Rep. Bragg moved to suspend the rules so that House Bill(s) No(s). 2260 (Appropriations Bill) and 2259 (Bond Bill) can be taken up out of order, which motion prevailed.

*House Bill No. 2260 -- Appropriations -- Makes appropriations to defray the expenses of state government for fiscal year beginning July 1, 1990.

On motion, House Bill No. 2260 was made to conform with Senate Bill No. 2392.

On motion, Senate Bill No. 2392, on same subject, was substituted for House Bill No. 2260.

Rep. Bragg moved that Senate Bill No. 2392 be passed on third and final consideration.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2392 by deleting each and every section of Senate Bill No. 2392 and by substituting instead new Sections 1 through 52 namely:

Sections 1 through 52 of House Bill No. 2260 as introduced on February 1, 1990; printed and distributed as House Bill No. 2260; and considered to be a part of this amendment.

On motion, Amendment No. 1 was adopted.

Rep. Bragg moved adoption of Finance, Ways and Means Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 2392 by adding to Section 6 of the bill, as introduced, a new item to read:

Item _____. To provide the first year's debt service on the general obligation bonds in the amount of sixty-five million dollars (\$65,000,000) authorized under Senate Bill No. 2719 / House Bill 2687, there is hereby appropriated a sum sufficient, not to exceed seven million eight hundred thousand dollars (\$7,800,000) from funds available in the highway fund. This appropriation is subject to the passage of Senate Bill 2719 / House Bill 2687. Expenditure of these funds is subject to approval of the commissioners of finance and administration and transportation.

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AND FURTHER AMEND by deleting from Section 7, Item 2, the following: "\$50,000.00 each to Project Return and to Dismas House"

and by substituting instead the following: "\$50,000 each to Project Return, Dismas House, and to Synergy Foundation of Memphis".

AND FURTHER AMEND by adding a new appropriately designated item to Section 9 of the bill:

Item _____. From reserves and departmental revenue available to the State Treasurer, there is hereby appropriated to the State Treasurer a sum sufficient to implement the provisions of Senate Bill 2471 House Bill 2308. From the appropriation made in this item, the State Treasurer is authorized to establish two (2) positions and fund other recurring and non-recurring costs of administering the provisions of Senate Bill 2471 House Bill 2308. The appropriation made in this item shall be contingent upon enactment of Senate Bill 2471 House Bill 2308.

AND FURTHER AMEND by adding the following new items at the end of Section 10:

Item _____. Out of the funds appropriated to the Department of Education by provisions of this act, there is allocated a sum not to exceed six hundred thousand dollars (\$600,000) for the purpose of implementing Senate Bill 2369 / House Bill 2215, relative to model teen learning centers, if such bill becomes a law.

Item _____. Employees of the office of the Executive Secretary to the District Public Defender's Conference, District Public Defenders and employees of a District Public Defender's Office, as created pursuant to Tennessee Code Annotated, Title 8, Chapter 14, shall only travel and shall be reimbursed for travel expenses in accordance with the provisions of the comprehensive travel regulations promulgated by the department of finance and administration and approved by the attorney general.

Item _____. From the funds appropriated to the department of human services there is earmarked twenty-five thousand dollars (\$25,000) for the after school day care program for the Madison County and Jackson city school system.

Item _____. From the funds appropriated to the University of Tennessee Department of Agriculture, there is earmarked the sum of one hundred thousand dollars (\$100,000) for:

(1) Employment of a full-time apiculturist at the University of Tennessee Institute of Agriculture at the Knoxville campus for extension and applied research services;

(2) Immediate implementation of appropriate measures to eliminate or reduce the threat to the population of honeybees in the state of Tennessee posed by mite infestations, diseases, or other causes; and

(3) Initiation of a voluntary program for the certification of beekeepers whose demonstrated knowledge and skills would enable them to assist the university apiary programs, department of agriculture apiary programs, as well as assisting amateur beekeepers in this state.

Item _____. From the funds appropriated to the department of agriculture for fairs for the purpose of determining state champion county fairs for a one year pilot project, the total sum of eligible county fairs shall be divided into three (3) classifications based upon the population of the county served by a fair as reported in the most current available census. In descending order of population, the top one-third (1/3) shall be classified as triple "A" (AAA) fairs, the middle one-third (1/3) as double "A" (AA) fairs, and the bottom one-third (1/3) as single "A" (A) fairs. There shall be a state championship award to the champion county fair each year in each of the three (3) classifications; and, there shall also be designated a first (1st) runner-up and a second (2nd) runner-up each year in each classification. There shall be awarded to each fair determined worthy thereof an award to be known as the special award of merit. No fair shall be eligible for more than one (1) of the four (4) designations in each classification.

The best county fair in each classification shall be entitled to receive out of the special awards fund a special merit award equal to one hundred percent (100%) of the state aid paid to it under the provisions of Tennessee Code Annotated, Section 43-21-103.

Each of the remaining eligible fairs shall share in the balance of the special awards fund in an amount equally proportionate to the state aid paid to each individual fair under the provisions of Tennessee Code Annotated, Section 43-21-103.

If any sum shall remain unused out of the fund provided for distribution under the provisions of Tennessee Code Annotated, Section 43-21-103, such sum shall be added to the special merit award fund and

distributed to the fairs entitled to special merit awards.

Item _____. From funds appropriated for state employee health insurance by the provisions of this act, there is earmarked a sum sufficient for the purpose of implementing Senate Bill No. 2514 / House Bill No. 2542, relative to health care providers, if such bill becomes a law.

Item _____. From the funds appropriated to the department of economic and community development, Tennessee Industrial Infrastructure Program, there is hereby earmarked a sum sufficient to provide for refunds of state sales and use taxes paid by qualified businesses which are exempt from or otherwise qualified for a refund of such taxes pursuant to the provisions of Senate Bill 2080 / House Bill 2258. Such sum shall be paid to the appropriate enterprise zone board for transmittal to the qualified business upon presentation of proper documentation to the department. The provisions of this item shall be effective only if Senate Bill 2080 / House Bill 2258 becomes law.

Item _____. There is earmarked from the sums appropriated to the Department of Employment Security the sum of \$117,423.50 for the purpose of implementing Senate Bill 2102 / House Bill 2361, relative to state insurance for part-time employees, if such bill becomes a law, subject to the approval of the Commissioner of Finance and Administration.

Item _____. From the funds appropriated to the department of transportation for the highway fund, there is hereby earmarked the sum of eight thousand dollars (\$8,000) for the purpose of implementing Senate Bill 2604 / House Bill 2565, relative to highway signs on Interstate 24 for the World Baptist Center, if such bill becomes a law.

Item _____. In making reductions or adjustments in the budget for the judicial branch, no funds allocated in the appropriations bill or budget document for the Capital Resource Center shall be reduced.

Item _____. Out of the funds appropriated under Section 1, Title III-22, Item 10, State Employees Compensation, there is allocated a sum not to exceed one hundred nine thousand dollars (\$109,000) for the purpose of implementing Senate Bill 2101 / House Bill 2358, relative to free enrollment by state employees in state institutions of higher education, if such bill becomes a law.

Item _____. All grants or other appropriations made to local governments, governmental entities, not-for-profit entities, or other organizations under this act shall be

subject to the filing with the commissioner of finance and administration by the receiving entity of a plan of proposed expenditures of such funds. Such plan shall be reviewed and approved by the appropriate state agency.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seventy-five thousand dollars (\$75,000) to the Tennessee Arts Commission for the sole purpose of making a grant in such amount to the Cannon Community Arts Center to build, equip and program an arts center in Cannon County.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the department of conservation for the sole purpose of making a grant in such amount to Wilson County to construct a community center in Gladeville.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of four thousand dollars (\$4,000) to the department of education for the sole purpose of making a grant in such amount to the Hardeman County Literacy Council.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the department of mental health and mental retardation for the sole purpose of making a grant in such amount to the Alzheimers Center in Memphis.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the department of human services for the sole purpose of making a grant in such amount to the Porter-Leath Children's Center for the purpose of providing emergency shelter for neglected, abused and abandoned children.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty thousand dollars (\$30,000) to the department of human services for the sole purpose of making a grant in such amount to the Nashville Coalition on Child Abuse.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the Carroll County Historical Society for the renovation of the WPA post office building on Main Street in McKenzie for use as the Gordon Browning Museum.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the International Grand Championship Walking Horse Show in Murfreesboro.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the Department of Conservation for the sole purpose of making a grant to Parkwood Community Park in Davidson County.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to Historic Mansker Station located in the Sumner County portion of the city of Goodlettsville for renovation, repair, and maintenance of historic Mansker Station.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated fourteen thousand dollars (\$14,000) for the purpose of implementing Senate Bill 1628 / House Bill 1602, relative to purchase of office furniture, equipment, law books and materials for the circuit court judgeship of the 17th Judicial District. The appropriation made herein shall take effect only if Senate Bill 1628 / House Bill 1602 becomes law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the department of conservation for the sole purpose of making a grant in such amount to the City of Lewisburg for the purpose of constructing a multi-use recreational center to provide a wide variety of community services such as walking tracks for the elderly; a swimming pool for all ages for exercise programs, water safety instruction, swimming classes, and life-saving programs; and sports leagues for all ages in volleyball and basketball. The appropriation made in this item is subject to a match requirement of one dollar (\$1.00) of local funds for each one dollar (\$1.00) of state funds.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Department of Human Services for the purposes of funding the provisions of Tennessee Code Annotated, Section 13-26-107 (c) and (d), a sum not to exceed two hundred forty thousand dollars (\$240,000.00) provided that each human resource agency, which complies with the provisions of Tennessee Code Annotated, Section 13-26-107 (c) and (d), can only receive a maximum of

thirty thousand dollars (\$30,000.00) each. There is also appropriated in addition to any other funds appropriated by the provisions of this act the sum of thirty thousand dollars (\$30,000) to the Delta Development District.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) for the youth athletic league located at McMurray Middle School in Davidson County for the purpose of purchasing and installing a sprinkler system.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the Clyde Austin 4H Training Center in Greeneville for the purpose of purchasing and installing a polyethylene liner in a lake at the center.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seventy-five thousand dollars (\$75,000) to be allocated as follows:

Elk River Development Agency	\$15,000
Beech River Watershed Development Authority	15,000
Sequatchie Valley Planning and Development Agency	15,000
Upper Duck River Development Agency	15,000
Four Lakes Regional Development Authority	15,000

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of sixty-five thousand dollars (\$65,000) to the department of human services for the sole purpose of making a grant in such amount to the Eighteenth Avenue Community Center in Nashville for expansion, renovation and repair of the center to provide and expand day care and youth services.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the department of human services for the sole purpose of making a grant in such amount to Morristown-Hamblen Central Services for the purpose of obtaining a facility in which to house programs and services.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the department of conservation for the sole purpose of making a grant in such amount to the Culture and Preservation Society of Del Rio to relocate a one

hundred (100) year old church building.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty thousand dollars (\$30,000) to the Tennessee arts commission for the sole purpose of making a grant in such amount to the Lincoln County Museum for renovation of space to provide for a lobby and auditorium.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the department of conservation for the sole purpose of making a grant in such amount to the Donelson Rotary Park to provide lighting for two (2) new softball fields and to pave the parking lot at such park.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred seventy thousand dollars (\$270,000) to the Clarksville-Montgomery County Historical Museum for the purpose of funding roofing replacement and restoration.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten thousand dollars (\$10,000) to the Tennessee Historical Commission for the sole purpose of purchasing certain historical artifacts previously belonging to Governor Gordon Browning, copying the Bremen state silver from Germany. Upon purchase the artifacts shall be placed in the Gordon Browning Museum in Huntingdon. The appropriation made in this item is subject to a match requirement of one dollar (\$1.00) of local funds for each one dollar (\$1.00) of state funds.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of forty thousand dollars (\$40,000) to the city of Alamo for the sole purpose of renovating and repairing the Alamo Auditorium.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to Crockett County for land acquisition for a county-wide public park.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty-five thousand dollars (\$35,000) to Williamson County for the sole purpose of development of Grassland Park.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand nine hundred eighty dollars (\$5,980) for the purpose of implementing Senate Bill No. 1985 / House Bill No. 1931, relative to creditable service of members of the national guard for purposes of the Tennessee consolidated retirement system, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the Coffee County-Manchester-Tullahoma Museum, Inc. for the purpose of matching local funds and other grant moneys so that preparation and construction of museum facilities can continue. The appropriation in this item is subject to a match requirement of one dollar (\$1.00) of local funds for each one dollar (\$1.00) of state funds.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty-five thousand dollars (\$35,000) to the department of mental health and mental retardation for the sole purpose of making a grant in such amount to Unicoi County for the purpose of maintenance, renovations and repairs at Grace House in the City of Erwin to provide drug and alcohol rehabilitation and treatment services.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the Tennessee Arts Commission for the sole purpose of making a grant in such amount to the Heritage Museum in Erwin, Tennessee, for the sole purpose of making general improvements at such museum.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to Dyer County for the sole purpose of constructing a civic center for such county.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of forty thousand dollars (\$40,000) to the department of education for the sole purpose of making a grant in such amount to the Oak Ridge Children's Museum. It is the legislative intention that the appropriation made in this item be nonrecurring.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten thousand dollars (\$10,000) to

the Boy's Club of Oak Ridge to fund sports programs which serve disadvantaged and minority youth.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten thousand dollars (\$10,000) to the Girl's Club of Oak Ridge to fund sports programs which serve disadvantaged and minority youth.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten thousand dollars (\$10,000) to Recording for the Blind in Oak Ridge for the production of recordings for textbooks for handicapped and blind persons.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty thousand dollars (\$30,000) to the City of Collinwood for the sole purpose of constructing a community swimming pool.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the city of Humboldt for the purpose of renovating and restoring the old Humboldt City Hall Building for use of the Humboldt Strawberry Festival and Historical Museum. This appropriation is subject to transfer of ownership of the building to the city of Humboldt.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten thousand dollars (\$10,000) to the department of conservation for the sole purpose of making a grant in such amount to the Tipton-Haynes Historical Association for operational expenses in order to enable the Tipton-Haynes historical farm to be open all year.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of forty-five thousand dollars (\$45,000) to the Tennessee Arts Commission for the sole purpose of making a grant in such amount to the Hands On Museum in Johnson City for program and project development.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seventy-five thousand dollars (\$75,000) to the department of agriculture for the sole purpose of making a grant in such amount to the Tennessee Beef Agribition for the purpose of promotion and advancement of Tennessee's leading agricultural commodity - beef.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the department of human services for the sole purpose of making a grant in such amount to the New Cainan Ranch in Pulaski to provide services to the homeless and disadvantaged.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to Lewis County for the Lewis County Tomorrow Project to complete the last phase of the park civic center.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of forty-seven thousand five hundred dollars (\$47,500) to Lawrence County for the Lawrence County Tomorrow Project for rural fire protection, community clubs and the senior citizen center.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two thousand five hundred dollars (\$2,500) to Maury County for the Maury County Tomorrow Project for the town project in Hampshire.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) for the purpose of upgrading the facilities at the Music City Ball Park on Richards Road in Antioch.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seventy-five thousand dollars (\$75,000) to the City of Rogersville for new lighting and fences and the renovation and repair of the track and bleachers for the Rogersville / Hawkins County Sports Complex.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the Tennessee Arts Commission for the sole purpose of making a grant in such amount to the State of Franklin Drama Association for site preparation of property to be used to perform the association's productions.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the Tennessee Arts Commission for the sole

purpose of making a grant in such amount to the Fine Arts Center of Tullahoma.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty-one thousand dollars (\$51,000) for the purpose of implementing Senate Bill No. 2594 / House Bill No.2404, relative to controlled substances, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient for the purpose of implementing Senate Bill No. 2013 / House Bill No. 1798, relative to the retirement System.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty-one thousand dollars (\$31,000) to the department of conservation for the sole purpose of fire prevention and firefighting enhancement, such sum to be allocated as follows:

(A) White County-

(1) Bon De Croft fire department	\$1,000
(2) Central View fire department	\$1,000
(3) Cassville fire department	\$1,000
(4) Cherry Creek fire department	\$1,000
(5) North End fire department	\$1,000
(6) Hickory Valley fire department	\$1,000
(7) Eastland fire department	\$1,000
(8) Mt. Gilead fire department	\$1,000
(9) City of Doyle fire department	\$1,000
(10) Sparta fire department	\$1,000

(B) DeKalb County-

(1) City of Smithville fire department	\$1,000
(2) Cookeville Highway #61 fire department	\$1,000
(3) Short Mountain # 62 fire department	\$1,000
(4) Midway #63 fire department	\$1,000
(5) Keltenburg #64 fire department	\$1,000
(6) Liberty #65 fire department	\$1,000
(7) Temperance Hall #67 fire department	\$1,000
(8) Johnson Chapel #68 fire department	\$1,000
(9) Alexandria #75 fire department	\$1,000

(C) Smith County-

(1) New Middleton fire department	\$2,000
(2) Carthage Volunteer Fire Station	\$1,000
(3) Gordonsville Volunteer Fire Station	\$1,000
(4) South Carthage Volunteer Fire Station	\$1,000
(5) Smith County Central Volunteer Fire Station	\$1,000
(6) Rome-Rock City Volunteer Fire Station	\$1,000

(7) Sykes-New Middleton Volunteer Fire Station	\$1,000
(8) Lancaster Volunteer Fire Station	\$1,000
(9) Pleasant Shade Volunteer Fire Station	\$1,000
(10) Defeated Volunteer Fire Station	\$1,000
(11) Riddleton Volunteer Fire Station	\$1,000

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the department of conservation for the sole purpose of making a grant to the Cordell Hull Birthplace Advisory Council for landscaping and parking facilities.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred ninety-four thousand seven hundred dollars (\$294,700) to the department of human services for the sole purpose of making grants which total such amount to provide funding for family violence shelters and shelter services, if House Bill No. 2033 / Senate Bill No. 2087 becomes law. It is the legislative intent that the appropriation made in this item be recurring.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the state building commission for the sole purpose of fully planning a fine arts/adult education building at Columbia State Community College.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the department of human services for the sole purpose of making a grant in such amount to the Columbia Exchange Club for the use of such club for the Maury County Center for the Prevention of Child Abuse.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the department of conservation for the sole purpose of making a grant in such amount to the Maury County Park Commission to establish an agricultural museum.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the Donelson Civitan Club for upgrading of facilities at the Donelson Civitan Club Ball Park.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is

appropriated a sum not to exceed two hundred thousand dollars (\$200,000) to the department of conservation for the sole purpose of purchasing approximately eighty (80) acres in Sullivan County which is known as the "Alvis Property".

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten thousand dollars (\$10,000) to the city of Hornbeak for the development of a ballpark.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the City of Church Hill for the development of park facilities.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the department of conservation for the sole purpose of making a grant in such amount to the Parkridge Community Organization for the purpose of developing a neighborhood park.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the department of conservation for the sole purpose of making a grant in such amount to the McMinn County Living Heritage Museum.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ninety five thousand dollars (\$95,000) to the Blues City Cultural Center in Memphis.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten thousand dollars (\$10,000) to the Tennessee Holocaust Commission.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to The Guiding Hands, Inc. of Jackson for the purpose of funding a radio reading service involving the handicapped.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the Stewart County Board of Education for a computer laboratory.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to Houston County for equipment and recreational park improvements.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the department of human services for the sole purpose of making a grant in such amount to LINK in the city of Kingsport to provide services to and housing for abused, neglected, abandoned and runaway children.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum not to exceed fifteen thousand dollars (\$15,000) to be subject to a dollar-for-dollar match either in money or in kind by Henderson County to be used for the restoration of the Montgomery School. This appropriation is subject to the approval of the commissioner of finance and administration.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum not to exceed fifteen thousand dollars (\$15,000) subject to a dollar-for-dollar match in money or in kind by Decatur County to be used for repairs and improvements to the Decatur County Fair Grounds buildings. This appropriation is subject to approval by the commissioner of finance and administration.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred forty-five thousand seventy-five dollars (\$145,075) for the purpose of implementing Senate Bill 1617 / House Bill 2450, if such bill becomes a law.

In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum not to exceed one hundred eighty-five thousand dollars (\$185,000) for the purpose of implementing Senate Bill 1617 / House Bill 2450, relative to the new judgeship in the Third District, if such bill becomes law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten thousand dollars (\$10,000) to Sullivan County for the sole purpose of providing training for members of the five (5) volunteer rescue squads which serve such county.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is

appropriated the sum of one hundred eighty-five thousand dollars (\$185,000) for the purpose of funding one (1) additional court in the 30th Judicial District, if Senate Bill 1804 / House Bill 1769 becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one thousand five hundred dollars (\$1,500) to the city of Morristown Department of Parks and Recreation to assist in the sponsoring of the Southeastern U.S. Babe Ruth Tournament.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seven thousand five hundred dollars (\$7,500) to the governing body of the Davy Crockett Tavern and Museum in Morristown for the purpose of roof repairs, general repairs, and maintenance.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the Department of Economic and Community Development for the sole purpose of making a grant in that amount to the Hancock County Chamber of Commerce for industrial recruitment expenses.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifteen thousand dollars (\$15,000) to Hancock County for development of boat ramps and/or picnic areas on the Clinch River.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seventy thousand dollars (\$70,000) to fund emergency repairs to the roof of Hundred Oaks Castle in Franklin County, now used by the Franklin County Adult Activity Center.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum not to exceed three hundred eighteen thousand one hundred twenty dollars (\$318,120) for the purpose of implementing Senate Bill 257 / House Bill 196, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the city of Blaine for development of and improvements to public recreation facilities.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is

appropriated the sum of fifteen thousand dollars (\$15,000) to Jefferson County for development of a public recreation facility to be located in Talbott.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the Jefferson County A.P.T.A. for general repairs and maintenance at Glenmore Mansion.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifteen thousand dollars (\$15,000) to White Pine in Jefferson County to fund emergency medical equipment.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the Bean Station Volunteer Rescue Squad for the purchase of a "Jaws of Life" emergency equipment device.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seven thousand five hundred dollars (\$7,500) to Grainger County for development of and improvements to public recreation facilities.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of forty-eight thousand dollars (\$48,000) to be allocated to the Tennessee Council for the Hearing Impaired for the purchase of telephone devices for the deaf (TDD) units to be provided to the hearing impaired who meet a financial needs test. The Tennessee Council for the Hearing Impaired is authorized and directed to purchase such TDD units as funded hereunder, and to administer the program for the distribution of the units.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the town of Spencer for the construction of a city/county park.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the town of Orme to construct a city park.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the department of conservation for the sole purpose of

making a grant in such amount to the Bledsoe County Fair Association to build a walking track in the Lusk community.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred fifty thousand dollars (\$250,000) to the Tennessee Historical Commission to be used for the renovation of the Frank G. Clement birthplace, and railroad hotel and museum. This appropriation shall be used for the following purposes:

- 1) Compilation and publication of an historical structures report;
- 2) Selection of a designer;
- 3) Selection of and contract with a museum design firm/consultant to prepare a museum development utilization plan; and
- 4) Related construction costs.

The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the Commissioner of Finance and Administration.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seven thousand five hundred dollars (\$7,500) to the department of conservation for the sole purpose of making a grant in such amount to the Porter Community Clubhouse in Dickson County to assist in reconstructing the clubhouse which was recently destroyed by fire.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifteen thousand dollars (\$15,000) to the commission on aging for the sole purpose of making a grant in such amount to Marshall County Senior Citizens, Inc. for the renovation of the Hardison School to centralize all programs of such agency in one location.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the Tennessee Historical Commission for acquisition and placement of twenty (20) additional historical markers: at least fifteen (15) of which shall indicate objects, sites, buildings, structures, and geographical locations of significance for Black History in Tennessee.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the department of human services for the sole purpose of making a grant in such amount to the Stanton Day Care Center in Haywood County for the purpose of maintaining

and operating such center.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten thousand dollars (\$10,000) to Tennessee State University for the sole purpose of continuation of the adult abuse program in the Department of Social Welfare at such university.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten thousand dollars (\$10,000) to the department of human services for the sole purpose of making a grant in such amount to the Bethlehem Center of Nashville for the Men of Distinction Program to provide role models and promote culture for young Black men.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of sixty thousand dollars (\$60,000) to fund the provisions for the purpose of implementing Senate Bill 1245 / House Bill 559, relative to model school dropout prevention programs. This appropriation shall take effect if Senate Bill 1245 / House Bill 559 becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifteen thousand dollars (\$15,000) to the Cerebral Palsy Housing Corporation of Knox County. The appropriation made in this item shall only take effect if a plan for its expenditure is submitted to the commissioner of finance and administration.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty-nine thousand eight hundred sixty dollars (\$59,860) for the purpose of implementing Senate Bill No. 2541 / House Bill No. 2515, relative to reimbursement of licensed living facilities for the mentally ill, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten thousand dollars (\$10,000) to the department of health and environment for the sole purpose of making a grant in such amount to the Jackson County Rescue Squad.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty-five thousand dollars (\$35,000) to the department of agriculture for the sole purpose of making a grant in such amount to the Tennessee Walking Horse Breeders and Exhibitors Association for use

in the futurity program of such association.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the commission on aging for the sole purpose of making a grant in such amount to the Retired Senior Volunteer Program (RSVP). Such funds shall be used by such program for expansion of services into other counties and/or areas to serve more elderly citizens.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty-eight thousand dollars (\$38,000) to the department of conservation for the sole purpose of purchasing a parcel of property of approximately eleven and one-half (11 1/2) acres of land in Morgan County for the expansion of Frozen Head State Park.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the department of agriculture for the sole purpose of making a grant in such amount to be allocated equally between the 4-H and the Future Farmers of America to pay the expenses of hosting the Tennessee Junior Livestock Exposition.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the department of human services for the sole purpose of making a grant in such amount to the Ed Rice Community Center in Memphis for repairs and remodeling of such center.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the Tennessee historical commission for the sole purpose of the renovation and restoration of the historic Zion Cemetery located at the intersection of South Parkway and Pillow Street in the city of Memphis.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the department of human services for the sole purpose of making a grant in such amount to the Goodwill Homes of Memphis.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars

(\$100,000) to the department of human services for the sole purpose of making a grant in such amount to the One Church One Child Project in Memphis.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of eighty thousand dollars (\$80,000) to the Beck Cultural Exchange Center, Knoxville, for museum administration and expansion of community educational services.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the department of education for the sole purpose of making a grant in such amount to the Mary Walker Historical and Educational Foundation.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-seven thousand five hundred dollars (\$27,500) to the Town of Westmoreland for public works projects.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of forty thousand dollars (\$40,000) to the Town of Portland for public works projects.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to Scott County for water, sewer, electrical and other improvements in the community recreational area in such county.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one thousand dollars (\$1,000) to the department of conservation for the sole purpose of making a grant in such amount to the Clay County Historical Society to erect a historic sign in such county.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred twenty-five thousand dollars (\$125,000) to the department of economic and community development for the sole purpose of making a grant in such amount to the Nashville Minority Business Development Center's programs of professional management and technical assistance for minority entrepreneurs.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000)

to Benton County for the purpose of rebuilding the Benton County Senior Citizens Center, recently destroyed by fire. This appropriation is subject to a dollar-for-dollar match by Benton County.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten thousand dollars (\$10,000) to the department of education for the sole purpose of making a grant in such amount to the Sumner County Literacy Council.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of eighty-five thousand dollars (\$85,000) to the commissioners of the Watkins Institute for the purpose of making roof and related repairs on the Watkins Institute Building in Nashville, subject to approval of the state building commission.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum not to exceed one hundred thousand dollars (\$100,000) to the department of human services to operate the department's pilot day care program in Davidson County; provided, that the per diem rate per child shall not exceed the average rate for comparable facilities as determined by such department. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten thousand dollars (\$10,000) to Scott County for the purpose of erecting a memorial in honor of Scott County veterans of foreign wars.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the East Lake Senior Neighbors for the construction of a community building at East Lake Park.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum not to exceed five hundred thousand dollars (\$500,000) for the purpose of implementing Senate Bill 1964 / House Bill 1887 relative to the compensation of certain officials. This appropriation shall have no effect unless Senate Bill 1964 / House Bill 1887 becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars

(\$25,000) to the Upper Cumberland Human Resource Agency for the sole purpose of making a grant to the Chance Youth Center in Bloomington Springs for maintenance and supplies.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred forty-seven thousand dollars (\$247,000) for the sole purpose of purchasing property to transfer to the federal government and mitigating the loss of state property to be transferred to the federal government to use as a federal bureau of prisons facility. Such funds shall be allocated as follows;

- (1) Purchase of approximately 317 acres of property in Cumberland County from a private landowner
\$175,000
- (2) Purchase of in-holdings or adjacent property in the Mt. Roosevelt and Catoosa Wildlife Management Areas to mitigate the loss of wildlife lands when approximately 218 acres of property owned by the TWRA in Cumberland County is transferred to the bureau of prisons for such facility
\$72,000.

The appropriation made in this item is contingent upon the location of a federal bureau of prisons facility in Cumberland County. The funds appropriated by the provisions of this item shall not revert at the end of any fiscal year but shall be carried forward in a reserve until expended in accordance with the provisions of this item. This appropriation is subject to approval of the commissioner of finance and administration.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the city of Sweetwater in Monroe County for improvements and renovations to the downtown area.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the city of Loudon for improvements and renovations to historic downtown Loudon.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty-two thousand dollars (\$32,000) to the department of human services for the sole purpose of making a grant in such amount to the Teen Ranch in Cumberland County for the purpose of constructing a recreational facility and making structural repairs at existing facilities.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred thousand dollars (\$200,000) to the Carroll County Watershed Authority for one thousand acres of land acquisition for the Beaver Creek Drainage Basin's flood control structure project.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the City of Kingston for the sole purpose of improvement of the grounds and maintenance of the state marker located in such city.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the department of mental health and mental retardation for the sole purpose of making a grant in such amount to the Henry Center in Kingston to be used solely for capital outlay purposes.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to Roane State Community College to provide funding for the literacy program.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred seventeen thousand one hundred forty-two dollars (\$117,142) for the purpose of implementing Senate Bill 2365 / House Bill 2252, relative to district attorneys general and criminal investigators, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the Tennessee Foreign Language Institute.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the city of Centerville for renovation and repair to a city-owned swimming pool to allow its reopening to public use.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to Henry County for repairs to the Paris / Henry County Heritage Center in Paris.

Item _____. In addition to any other funds

appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the Memphis Park Commission for the sole purpose of funding a feasibility on the construction or development of a senior citizens' center to serve the 38127 and 38128 zip code areas in Shelby County.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of forty thousand dollars (\$40,000) the department of conservation for the sole purpose of making a grant in such amount to the Historical Society of Union County, Inc. to build the Roy Acuff Union Heritage Museum and Library in the City of Maynardville. It is the legislative intent to recognize that sixty thousand dollars (\$60,000) for such project has been obtained previously by such society and this appropriation will allow the project to be completed.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the Memphis Shelby County Public Library for Cable Television Channel 9 (WCIC) for equipment and capital expenditures for additional access to the governmental access channel.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the city of Soddy-Daisy for the purpose of completing construction of the field house.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten thousand dollars (\$10,000) to radio station WTSU in Nashville for the purchase of equipment.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the City of Covington to provide parks and recreational services and facilities.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the Town of Munford for the purpose of developing a new town park.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the Tennessee arts commission for the sole purpose of

making a grant in such amount to the Tipton Fine Arts Council for renovations, repairs and improvements to their facilities; provided that such funds are matched on a one-to-one basis.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty thousand dollars (\$30,000) to the department of human services for the sole purpose of making a grant in such amount to Tri-County Children and Family Services located in Tipton county to renovate, repair and expand their facilities.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of sixty-five thousand dollars (\$65,000) to the Memphis Park Commission for the sole purpose of constructing an exercise trail at Gaisman Park in Memphis.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the Memphis-Shelby County Film, Tape, and Music Commission.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum not to exceed two hundred forty-three thousand nine hundred dollars (\$243,900) to implement the provisions of Senate Bill 2017 / House bill 2007, relative to workers' compensation benefits, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five hundred fifty-one thousand two hundred dollars (\$551,200) to the General Fund for the purpose of implementing the provisions of Senate Bill 2100/House Bill 2360. This appropriation is effective only if Senate Bill 2100/House Bill 2360 becomes law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the department of education for the sole purpose of matching funds in the counties of DeKalb, Van Buren, Overton, Macon and Cannon on the basis of two dollars (\$2.00) of state funds for each one dollar (\$1.00) of local funds to provide an extended school program in such counties. The maximum state grant to any county shall be five thousand dollars (\$5,000).

Item _____. In addition to any other funds appropriated by the provisions of this act, there is

appropriated the sum of forty thousand dollars (\$40,000) to the White House Community Volunteer Fire Department for construction of a fire station.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifteen thousand dollars (\$15,000) to the City of Greenback for improvements and renovations in the downtown district.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty-three thousand five hundred dollars (\$33,500) for the establishment and operation of a branch office for the division of consumer affairs in Hamilton County. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to Moore County to purchase playground equipment.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to Fayette County to provide for athletic facilities, equipment and activities. This appropriation is subject to a match of one hundred thousand dollars (\$100,000) by Fayette County.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the following sums to the Tennessee Historical Commission:

- 1) \$27,000 - computer system for the collection of survey data;
- 2) \$25,000 - printing of Vol. VI of the Biographical Directory of members of the General Assembly from 1971-1991;
- 3) \$25,000 - printing of Vol. X of the Messages of the Governors, 1921-1932.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seventy-five thousand dollars (\$75,000) to the Tennessee Commission on Aging for the state volunteer ombudsman program.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifteen thousand dollars (\$15,000) to the city of Cleveland for improvement and equipment for

the Cleveland Civitan Handicap Park.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the Department of Conservation for the sole purpose of funding rafting take-out on the Ocoee River in Polk County.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) for the sole purpose of improvements to the Raoul Wallenberg/Overton Park Shell and the concert series conducted there.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the department of conservation for the sole purpose of installing 220 wiring at Meeman-Shelby Forest Park for air conditioning.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifteen thousand dollars (\$15,000) to community radio station WEVL for the purchase of equipment.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seventy-five thousand dollars (\$75,000) to the department of agriculture for the sole purpose of making a grant in such amount for a combined dairy breed show for the purpose of promotion and advancement of one of Tennessee's leading agricultural commodities - dairy products.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of forty-five thousand dollars (\$45,000) to the Tennessee Arts Commission for the sole purpose of making a grant in such amount to the Little Theatre of Greeneville, Inc. to aid in the restoration and expansion of their facility. The appropriation made in this item is subject to a match requirement of one dollar (\$1.00) of local funds for each two dollars (\$2.00) of state funds.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the Tennessee Arts Commission for the sole purpose of making a grant in such amount the Nathaniel Greene Museum for repairs to their facility.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the City of Madisonville for the Downtown Madisonville Association to develop the Estes Kefauver Museum and Library.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the department of human services for the sole purpose of making a grant in that amount to the Love Kitchen in Knoxville.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seventy-five thousand dollars (\$75,000) to the department of health and environment for the sole purpose of employing three (3) additional nurses within the public school nurse program established by Tennessee Code Annotated, Section 68-1-1201: such nurses to be locally assigned in accordance with the provisions of Tennessee Code Annotated, Section 68-1-1203(b).

Item _____. In addition to any other appropriation made in this act, there is hereby appropriated a sum sufficient to the department of mental health and mental retardation to carry out the provisions of Senate Bill 1646 / House Bill 1582. This appropriation shall be effective only if Senate Bill 1646 / House Bill 1582 becomes law. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the city of Hendersonville for the lighting of ballfields, subject to a dollar-for-dollar match of that sum by the city of Hendersonville.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to Van Buren County to provide for athletic facilities, equipment and activities. This appropriation is subject to a match of fifty thousand dollars (\$50,000) by Van Buren County. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the Rocky Mount Historical Association for the purpose

of moving and installing exhibits and for needed equipment for the new auditorium at Rocky Mount.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of sixty-five thousand dollars (\$65,000) to the department of military for the sole purpose of making a grant in such amount to the Tennessee Korean War Memorial Association to erect a suitable state memorial for the veterans who served in the Korean War.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the City of Knoxville for the sole purpose of purchasing playground equipment and picnic tables for the Edward Cochran Park in such city.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of forty-eight thousand dollars (\$48,000) to the Chattanooga Museum. This appropriation is subject to a match of twenty-four thousand dollars (\$24,000) by the city of Chattanooga and twenty-four thousand dollars (\$24,000) by Hamilton County.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the department of conservation for the sole purpose of making a grant in such amount to the Hendersonville Soccer League for improvements to the playing fields.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the Tennessee Arts Commission for the sole purpose of making a grant to the Obion County Museum for continued operation of such museum.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the City of Chattanooga for the Bessie Smith Project.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty-five thousand seven hundred dollars (\$55,700) for the purpose of implementing Senate Bill 2569 / House Bill 2549, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of eighty-five thousand dollars

(\$85,000) to the Memphis Minority Development Center to provide management services and technical assistance to minority entrepreneurs.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of eighty-five thousand dollars (\$85,000) to the Memphis Local Model Neighborhood Development Corporation. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the department of human services for the sole purpose of making a grant in such amount to the Memphis Housing Authority to fund athletic programs at Porter Gym in Memphis.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the Memphis Blues Foundation.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to Tennessee State University for the sole purpose of providing four (4) scholarships for African and Caribbean students who are pursuing a baccalaureate degree program with the predominant emphasis upon courses related to agriculture. The appropriation made in this item shall be expended in accordance with the rules and regulations of the Tennessee Student Assistance Corporation.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred eighty-four thousand two hundred fifteen dollars (\$184,215) for the purpose of implementing the provisions of Senate Bill 2356 / House Bill 2393, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of three hundred thousand dollars (\$300,000) for the Area Health Education Center (AHEC) at Meharry Medical Center.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the state treasurer for the sole purpose of implementing Senate Bill 2032 / House Bill 2088, relative to creation of the disadvantaged business loan guarantee

account, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred twenty-five thousand dollars (\$125,000) to the Beale Street Development Corporation for the sole purpose of providing a grant for restoration and renovation of the old Tri-State Bank in Memphis on Beale Street, one of the first Black-owned banks and recently submitted to the National Register as a Historical Landmark. This appropriation is subject to certification to the Commissioner of Finance and Administration that the Tri-State Bank is publicly owned.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of sixty-five thousand dollars (\$65,000) to the department of human services for the sole purpose of making a grant in such amount to the Pioneer Black Firefighters Black Role Models Extraordinary Program which serves as a positive role model for the African-American male through innovative projects developed by the Black Firefighters of Memphis.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum not to exceed ninety-five thousand dollars (\$95,000) for the purpose of implementing Senate Bill 2282 / House Bill 2041, relative to the minority teaching fellows program. This appropriation shall have no effect unless Senate Bill 2282 / House Bill 2041, becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty thousand dollars (\$30,000) to Dismas, Inc. as an additional grant for expanding its programs.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-one thousand dollars (\$21,000) to the commission on children and youth for the sole purpose of increasing, by one thousand dollars (\$1,000), the amount of each 1991 model teen pregnancy program grant and each 1991 teen pregnancy program replication grant.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the department of health and environment for the sole purpose of making a grant to the "Unh-Unh" Program, Memphis, to support teen pregnancy prevention activities

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty-five thousand dollars (\$35,000) to the City of Jacksboro for the purpose of repairing storm damage to municipal buildings, public works projects and purchase of equipment.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten thousand dollars (\$10,000) to the department of human services for the sole purpose of making a grant in such amount to the Northwest YMCA Center for Child Development for supplies and equipment.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the department of mental health and mental retardation for the sole purpose of making a grant in such amount to the Eighteenth Avenue Community Center for neighborhood anti-drug programs.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the department of conservation for the sole purpose of making a grant in such amount to the Brownsville/Haywood County Parks and Recreation Department to be allocated for improvements and renovations as follows:

Industrial Park Baseball Complex	\$12,500
Eastside Park	\$12,500

Item _____. In addition to any funds appropriated by the provisions of this act, there is hereby appropriated a nonrecurring sum of fifty thousand dollars (\$50,000) to the Smoky Mountain Visitors Bureau for the construction of a visitors center at the entrance of the Smoky Mountain National Park.

Item _____. In addition to any other funds appropriated by the provisions of this Act, there is hereby appropriated the sum of forty-nine thousand five hundred dollars (\$49,500) for purchase of right-of-ways for the completion phase of the Greenbelt Park Linkage Project in cooperation with Aluminum Company of America.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$98,000 for the purpose of implementing Senate Bill 2538 / House Bill 2362, relative to providing trust fund moneys to the impaired drivers fund for a three-year pilot project to provide financial assistance to residents of Tennessee who suffer head injuries.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred thousand dollars (\$200,000) for the purpose of implementing Senate Bill 1835 / House Bill 1703, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the department of conservation for the sole purpose of making a grant to the Cordell Hull Birthplace Advisory Council for landscaping and parking facilities.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty-five thousand dollars (\$35,000) to the Union County Department of Public Works.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seventy thousand dollars (\$70,000) to the Orange Mound Senior Citizens for operation of the Orange Mound Senior Citizens Care Home. Before these funds may be expended, they shall be matched on a three (3) to one (1) basis by the City of Memphis. Provided however, if such matching funds are not forthcoming on or before January 1, 1991, then the sum appropriated by this item shall be used for an architectural feasibility study concerning conversion of the Melrose School property, located on Park Avenue, Memphis, Tennessee, for use as a comprehensive, multi-use community center.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten thousand dollars (\$10,000) to the city of Doyle for flood control for such city's community center.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the department of conservation for the sole purpose of making a grant in such amount for the Bolton Community Park. The appropriation made in this item is subject to a match requirement of one dollar (\$1.00) of local funds from Shelby county for each one dollar (\$1.00) of state funds.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty thousand dollars (\$30,000) to Sequatchie County for the community center and library located at the corner of Rankin and Cherry Streets in the city of Dunlap.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Defense Counsel Commission the sum of two thousand seven hundred fifty dollars (\$2,750) for the purpose of providing reimbursement in cases where the Commission finds an individual has incurred legal expenses when falsely accused by the state.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to implement the provisions of Senate Bill 1659 / House Bill 1787, relative to in-state construction preferences, if such bill becomes a law.

Item _____. In addition to any other funds appropriated by the provisions of this Act, there is hereby appropriated to the city of Gatlinburg the sum of twenty-five thousand dollars (\$25,000) for the sole purpose of pre-planning and engineering a public works project.

Item _____. There is hereby appropriated a sum not to exceed seven hundred fifty thousand dollars (\$750,000) to provide grants pursuant to the provisions of Senate Bill 2080 / House Bill 2258. Amounts appropriated hereby shall be paid to the appropriate enterprise zone board for transmittal to the qualified business upon presentation of proper documentation to the department. This amendment shall be effective only upon Senate Bill 2080 / House Bill 2258 becoming law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred sixteen thousand dollars (\$216,000) for the purpose of implementing the provisions of Senate Bill 2102 / House Bill 2361. This appropriation shall take effect only if Senate Bill 2102 / House Bill 2361 becomes law.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the regulatory boards in the department of commerce and insurance a sum sufficient for the sole purpose of implementing the provisions of Senate Bill 2140 / House Bill 1850. Such funds shall be appropriated from fees and revenues generated by the provisions of Senate Bill 2140 / House Bill 1850 and shall be subject to approval by the commissioner of finance and administration.

The appropriation contained in this item shall have no effect unless Senate Bill 2140 / House Bill 1850 becomes law.

AND FURTHER AMEND by adding the following new items at the end of Section 47:

WEDNESDAY, APRIL 11, 1990 -- EIGHTY-NINTH LEGISLATIVE DAY

Item _____. At June 30, 1990, the unexpended balance of the appropriation made to the Tennessee Advisory Commission on Intergovernmental Relations under Section 36, Items 4 and 22 in Chapter 563 Public Acts of 1989, is hereby reappropriated to be expended in the 1990-1991 fiscal year and such appropriation shall be carried forward in a reserve into the fiscal year beginning July 1, 1990.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of sixty thousand dollars (\$60,000) to be allocated as follows:

- | | |
|--|----------|
| (1) Southwest human resource agency | \$15,000 |
| (2) Southcentral human resource agency | 15,000 |
| (3) Southeast human resource agency | 15,000 |
| (4) Upper Cumberland human resource agency | 15,000 |

At June 30, 1990, any unexpended balances of such appropriation are hereby reappropriated to be expended in the 1990-91 fiscal year and such appropriation shall be carried forward in a reserve into the fiscal year beginning July 1, 1990.

Item _____. All funds previously appropriated but not obligated or expended for construction of an industrial building in Meigs County are hereby reappropriated and carried forward in a reserve until expended in accordance with the original appropriation.

In addition to any other funds appropriated by the provisions of this act, there is appropriated one hundred fifty thousand dollars (\$150,000) to Bledsoe County for construction of an industrial building.

AND FURTHER AMEND by adding the following new Sections to be appropriately numbered:

Section _____. The appropriations to the Department of Correction for "State Prosecutions" made in Section 1, Title III-7, Item 3, of this act is reduced by \$1,988,809; the appropriations to the Department of Correction to "Adult Field Services" made in Section 1, Title III-7, Item 2, of this act is increased by \$279,080; the appropriations made to the Department of Correction in Section 4, Title III-7, Item 2, for "Adult Field Services" is increased by \$25,920. By this increased appropriation to the Department of Correction the department is authorized to establish and fill 13 additional positions pursuant to the purposes of Senate Bill 2300, House Bill 2101, enacted as Chapter 729 of the Public Acts of 1990.

Section _____. The provisions of this section shall take effect upon becoming a law, the public welfare

requiring it. To the extent state revenues and/or other funds made available to the general fund for the fiscal year ending June 30, 1990 exceed the requirements of such fund for the fiscal year ending June 30, 1990, and to the extent revised estimates of state revenues and/or other funds made available to the general fund for the fiscal year ending June 30, 1991, exceed the requirements of such fund for the fiscal year ending June 30, 1991, there is appropriated the sum of \$1,000,000 to Middle Tennessee State University for the sole purpose of equipping the Mass Communications Building at Middle Tennessee State University, provided that such university matches such funds from university funds on a one to one basis. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

AND FURTHER AMEND by deleting the reference to "Item 30 of Section 10," in Section 1, Title III-23 of the bill, as introduced, and by substituting instead the reference "Item 28 of Section 10,".

AND FURTHER AMEND by deleting the words and symbols "Senate Bill No. /House Bill No. " in Section 2, Item 8 of the bill, as introduced, and by substituting instead the words and figures "Senate Bill No. 2391/House Bill No. 2259".

AND FURTHER AMEND by deleting in their entirety Items 6, 9, 10, 14, 17, 19 and 20 in Section 8 of the bill, as introduced, and by substituting instead the following new items to read:

Item 6. To provide for Verbatim Transcripts, the Court of the Judiciary and the Appellate Court Nominating Commission to implement such programs.

Item 9. To pay the cost of the Tax Rebate Program under the administration of the Comptroller of the Treasury. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item 10. To the State Planning Office to match federal funds available to the "Drug Free Tennessee" program. Said additional federal funds are hereby appropriated. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item 14. To the Department of Commerce and Insurance for regulatory boards to purchase examinations for said boards. This appropriation is subject to approval by the Commissioner of Finance and Administration, and it is contingent upon the fees collected for giving examinations being in

excess of the budgeted estimate.

Item 17. To the Department of Military, Disaster Relief Grants, and to the Department of Human Services, Disaster Relief, for the purpose of matching federal funds and to the Department of Military to pay the administrative costs of the Disaster Relief program. Said appropriations shall be made from the Reserve for Disaster Relief and shall be subject to approval by the Commissioner of Finance and Administration.

Item 19. To provide for payments by the Department of Transportation to the Claims Award Fund. Said appropriation shall be made from the highway fund balance.

Item 20. To establish any necessary reserve(s) required to implement the Sick Leave Bank for state employees program. This appropriation is subject to the provisions of Chapter 1009, Public Acts of 1988.

AND FURTHER AMEND by deleting the words "Effective January 1, 1990, the state insurance committee shall establish" in Section 17, Item 4 of the bill, as introduced, and by substituting instead the words "The state insurance committee shall establish and maintain".

AND FURTHER AMEND by adding a new sentence at the end of Items 11, 12 and 13 in Section 2 of the bill, as introduced, to read:

"This appropriation is made notwithstanding the provisions of Section 20 of this act and the provisions of Tennessee Code Annotated Title 54, Chapter 2, Part 2 to the contrary."

AND FURTHER AMEND by deleting the words "surplus property" in Section 35, Item 19 of the bill, as introduced, and by substituting instead the words "surplus personal property".

AND FURTHER AMEND by deleting the citation "Section 1, Title III-15" in Section 34, Item 4 of the bill, as introduced, and by substituting instead the citation "Section 1, Title III-16".

AND FURTHER AMEND by deleting the citation "Section 1, Title III-16" in Section 34, Item 5 of the bill, as introduced, and by substituting instead the citation "Section 1, Title III-17".

AND FURTHER AMEND by deleting the citation "Section 1, Title III-17" in Section 34, Item 6 of the bill, as introduced, and by substituting instead the citation

"Section 1, Title III-18".

AND FURTHER AMEND by deleting in its entirety the last sentence in the introductory paragraph of Section 36 of the bill, as introduced, and by substituting instead a new sentence to read:

"The unexpended balances to be reappropriated are reappropriated as follows:"

AND FURTHER AMEND by deleting the word and reference "on June 30, 1990" in Section 36, Item 2 of the bill, as introduced, and by substituting instead the words "at the end of any fiscal year".

AND FURTHER AMEND by deleting the word "appropriation" from the last sentence in Section 38 of the bill, as introduced, and by substituting instead the word "appropriation".

AND FURTHER AMEND by deleting the reference to "Section 67-4-606, Items 3 and 8, Tennessee Code Annotated" in Section 41, Item 3 of the bill, as introduced, and by substituting instead the reference "Tennessee Code Annotated, Section 67-4-606(3) and Section 67-4-606(7)".

AND FURTHER AMEND by deleting the words and symbols "Senate Bill No. /House Bill No. " in Section 48, Item 1 of the bill, as introduced, and by substituting instead the words and figures "Senate Bill No. 2391/House Bill No. 2259".

AND FURTHER AMEND by adding to Section 1, Title III-26 of the bill, as introduced, the following new paragraph following all other paragraphs therein:

"From the funds appropriated above in Item 1.7, State Aid, the sum of seven million dollars (\$7,000,000.00) is allocated for the purpose of funding the "1990 Bridge Grant Program" as set forth in Chapter 717 of the 1990 Public Acts.

For the fiscal year beginning July 1, 1990, the Commissioner of Transportation shall distribute this money among the ninety-five (95) county geographical areas of the State according to the following formula:

One half of the funds shall be distributed equally, and one half shall be distributed on the basis of structural needs. Structural needs shall be determined by calculating the ratio of linear feet of bridges with a load rating of less than ten tons, in each county geographical area, located on public roads other than those on a federal-aid system or the

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state system of highways, to the total linear feet of like bridges in the State."

AND FURTHER AMEND by deleting from Section 2 of the bill, as introduced, Item 10 in its entirety, and by substituting instead a new item to read:

Item . To the extent that the accumulated yearly interest and earnings of the Natural Resources Trust Fund are available through June 30, 1990, said funds are hereby appropriated to the Department of Conservation to be available (a) for the acquisition of lands, water or interests in lands and water; and (b) for the preservation of historic or archaeological properties which are significant to the cultural history of the state.

AND FURTHER AMEND by deleting from Section 4, Title III-2, Item 2.4 and by substituting instead the following item and by changing the subtotals accordingly:

"2.4 Advisory Commission on Intergovernmental Relations	107,100.00"
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AND FURTHER AMEND by deleting the words "sinking fund balance" in Section 6, Item 8 of the bill, as introduced, and by substituting instead the words "state loan program fund".

AND FURTHER AMEND by adding a new item to Section 7 of the bill, as introduced, to read:

Item . From the funds appropriated to the Department of Finance and Administration in Section 1, Title III-25, Item 6 for farmers' markets, there is hereby earmarked an amount not to exceed \$200,000.00 for the purpose of making a grant to Franklin County for a farmers' market. This appropriation and the transfer of funds to the current operating budget in the general fund is subject to approval by the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding to Section 8 of the bill, as introduced, a new item to read:

Item . To the State Board of Accountancy to provide for an investigative auditor position, quality review audits services and board travel. Said appropriation is subject to the availability of funds under the provisions of Tennessee Code Annotated, Section 62-1-121 and to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by deleting from Section 10 of the

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bill, as introduced, Item 15 in its entirety and by renumbering the subsequent items.

AND FURTHER AMEND by adding the following new items to Section 12 of the bill, as introduced, to read:

Item . There is hereby appropriated the sum of \$50,000.00 to the Department of Safety to provide security for the 1990 National Conference of State Legislators meeting in Nashville.

Item . There is hereby appropriated an amount not to exceed \$100,000.00 to the State Insurance Committee for the costs of development of a health insurance plan for employees of local governments and quasi-governmental organizations under the provisions of Tennessee Code Annotated, Section 8-27-207. The costs associated with the development of this health insurance plan shall be recovered through the administrative fees charged to plan participants.

Item . There is hereby appropriated a sum sufficient not to exceed \$100,000.00 to be administered by the Department of Finance and Administration to fund a comparative study and evaluation of the operation of juvenile facilities for the Department of Youth Development. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item . There is hereby appropriated the sum of \$20,000.00 to the Department of Veterans Affairs to establish one additional Veterans' Benefits Representative position.

Item . There is hereby appropriated the sum of \$25,000.00 to the Judicial Council and Conference.

Item . There is hereby appropriated the sum of \$30,000.00 to the Department of Financial Institutions. This appropriation is subject to the passage of Senate Bill No. 2148/House Bill No. 1815.

Item . There is hereby appropriated to the Department of Revenue the amount of \$506,200.00 for the purpose of administering the provisions of Senate Bill No. 2515/House Bill No. 2424, if such bill becomes law. This appropriation is subject to approval by the Commissioner of Finance and Administration.

AND FURTHER AMEND by deleting from Section 15 of the bill, as introduced, Items 7 and 8 in their entirety, and by substituting instead the following new items to read:

Item . . . The Commissioner of Finance and Administration is authorized to impose a reasonable real estate transaction fee on all real estate transactions when the transaction is processed through the Department of Finance and Administration. Said fee structure shall be subject to approval by the State Building Commission.

Item . . . The Commissioner of Finance and Administration and the State Treasurer, with approval of the State Comptroller, shall develop and implement a policy to recover state funds and the state's costs associated with checks, warrants, drafts, and electronic funds transfers deposited to a state account that are subsequently returned unpaid by the drawer's bank.

AND FURTHER AMEND by adding the following new items to Section 15 of the bill, as introduced, to read:

Item . . . For the purposes of this item, the term "chief fiscal officer" shall mean the position within a state agency that has overall daily responsibility for the oversight of the fiscal operation for that agency. The Commissioner of Personnel in consultation with the Commissioner of Finance and Administration shall designate and classify position(s) within each agency of the executive branch of state government as chief fiscal officer(s) for that agency. Qualifications and appointments to fill existing or future vacancies shall be in accordance with procedures established by the Commissioner of Personnel with the approval of the Commissioner of Finance and Administration.

Item . . . Subject to the passage of SB 2081/HB 1796, the Commissioner of Finance and Administration is authorized to establish positions for the administration of the Tennessee Comprehensive Insurance Pool.

Item . . . The Commissioner of Finance and Administration is hereby authorized to enter into a contract for the development of a Management Information System for the State's Insurance Program. The commissioner is further authorized to allocate the development and operational expense of this system on an equitable basis among the various medical programs administered by the Insurance Committee.

Item . . . From the appropriations made in Section 1 and 4 of this act, the Commissioner of Finance and Administration, with the concurrence of the Commissioner of Personnel, is authorized to

transfer appropriations and positions to the State Insurance Program for the establishment and centralization of Insurance Benefit Analyst positions to coordinate and administer the insurance benefit program for state employees.

Item . The Commissioner of Finance and Administration is hereby authorized to establish positions for the administration of the Local Government Insurance Program.

AND FURTHER AMEND by adding to Section 15, Item 12 of the bill, as introduced, a new paragraph to read:

"Unless otherwise directed by language in this act, appropriation grants to agencies outside of state government shall be administered in such manner as the Commissioner of Finance and Administration shall determine."

AND FURTHER AMEND by deleting in its entirety Section 22 of the bill, as introduced, and by substituting instead a new section to read:

SECTION . Notwithstanding the provisions of Tennessee Code Annotated, Title 66, Chapter 29, warrants, drafts, and checks drawn on the state treasury that have not been redeemed within twelve months of issue date shall be cancelled and written off the state's books with the funds reverting to the fund of issue. Subsequent claims by the payee of said instruments, shall be honored upon receipt of documentation to substantiate the claim.

AND FURTHER AMEND by deleting from Section 34 of the bill, as introduced, Item 6 in its entirety, and by substituting instead a new item to read:

Item . From the appropriations made to the Department of Human Services in Section 1, Title III-17, the Commissioner of Finance and Administration is authorized to transfer a sum sufficient to the Child Support, Board and Care Contributions, AFDC Grants, and Division of Administration programs and to adjust federal revenue and other departmental revenue estimates accordingly.

AND FURTHER AMEND by adding the following new items to Section 34 of the bill, as introduced, to read:

Item . From the funds appropriated in Section 1, Title III-17, to the Department of Health and Environment, the Commissioner of Finance and Administration is authorized to make transfers between appropriation items for purposes of 1)

assuring compliance with new maintenance of effort and state matching requirements of the Maternal and Child Health Services block grant program; 2) accommodating additional Social Services block grant program revenue; 3) realignment of funds budgeted for leased space due to the relocation of the Bureau of Health Services into the Cordell Hull Building; 4) providing state match requirements for services to Medicaid-eligible "Project HUG" participants; and 5) providing funds to the Ground Water program.

Further, the Commissioner of Finance and Administration is authorized to adjust federal aid funds and other departmental revenue accordingly and there is hereby appropriated any additional federal aid funds and other departmental revenue associated with the transfers authorized herein.

Item . From the appropriations made to the Department of Revenue in Section 1, Title III-19, the Commissioner of Finance and Administration is authorized to transfer a sum sufficient to the Management Services Division.

Item . From the appropriations made to the Department of General Services in Section 1, Title III-2, Item 6, the Commissioner of Finance and Administration is authorized to transfer a sum sufficient to the Division of Food Services Management.

AND FURTHER AMEND by adding the following new items to Section 35 of the bill, as introduced, to read:

Item . From the appropriations made in Section 1, Title III-21, to the Department of Safety, the Commissioner of Finance and Administration is authorized to transfer an amount not to exceed \$100,000.00 to the Department of Personnel for the purpose of developing new highway patrol examinations.

Item . The funds appropriated in Sections 1 and 4 of this act to the Department of Conservation to provide for the Mainstreet Program are hereby transferred to the Department of Economic and Community Development. The amount transferred and the positions transferred are subject to approval by the Commissioner of Finance and Administration.

Item . From the funds appropriated to the Department of Finance and Administration in Section 1, Title III-25, Item 4 for capital outlay, the sum of \$2,500,000.00 is for farmers' markets. The Commissioner of Finance and Administration is authorized to transfer up to \$2,500,000.00 to the

current operating budget in the general fund for the purpose of making grants for farmers' markets. Said grants shall be subject to the same match requirements as provided in Section 32 of this act for industrial training and industrial infrastructure grants.

Item . From the appropriation made in Section 1, Title III-7, Item 26, to the Department of Correction for Local Corrections Programs, the Commissioner of Finance and Administration is authorized to transfer a sum sufficient to Item 2, Adult Field Services. Such transfer(s) shall be made only to improve the effectiveness or efficiency of delivery of programs providing community alternatives to incarceration.

Item . From the funds appropriated in Section 1, Title III-17, to the Department of Health and Environment, the Commissioner of Finance and Administration is authorized to make transfers between appropriation items for purposes of 1) assuring compliance with new maintenance of effort and state matching requirements of the Maternal and Child Health Services block grant program; 2) realignment of funds budgeted for leased space due to the relocation of the Bureau of Health Services into the Cordell Hull Building; and 3) providing state match requirements for services to Medicaid-eligible "Project HUG" participants.

Further, the Commissioner of Finance and Administration is authorized to adjust federal aid funds and other departmental revenue accordingly and there is hereby appropriated any additional federal aid funds and other departmental revenue associated with the transfers authorized herein.

AND FURTHER AMEND by adding the following new items to Section 36 of the bill, as introduced, to read:

Item . Department of Transportation in Section 1, Title III-26, Item 4.1, for equipment purchases.

Item . Office of the Comptroller of the Treasury in an amount not to exceed \$100,000.00. Said funds are hereby reappropriated to purchase a Reapportionment System with GIS capabilities for the Office of Local Government.

AND FURTHER AMEND by changing the period to a comma at the end of the second sentence in Section 41, Item 14 of the bill, as introduced, and by adding the following language:

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"and the sum of \$1,000,000.00 in the fiscal year ending June 30, 1991.

AND FURTHER AMEND by deleting in its entirety, Section 39 of the bill, as introduced, and by substituting instead a new section to read:

Section . The provisions of this section shall take effect upon becoming law, the public welfare requiring it. There is hereby appropriated from departmental revenues and federal aid funds the amounts hereinafter set out:

	1989-90	1990-91
Secretary of State		
1. Library and Archives	\$ 59,200	\$ -
2. Regional Libraries	\$ 8,800	-
Total Secretary of State	\$ 68,000	\$ -
Department of Treasury		
1. State Treasurer's Office	\$ 304,000	\$ -
Executive Programs		
1. State Planning Office	\$ 60,000	\$ -
Commissions		
1. Commission on Aging	\$ 250,000	\$ -
Department of General Services		
1. Division of Printing	\$ 226,000	\$ -
Department of Tourist Development		
1. Division of Administration	\$ 68,000	\$ 68,000
Department of Conservation		
1. Division of Forestry	\$ 12,000	\$ -
Wildlife Resources Agency		
1. Wildlife Resources Agency	\$ 100,000	\$ 100,000
2. Boating Safety Act	\$ 100,000	-
Total Wildlife Resources Agency	\$ 200,000	\$ 100,000
Department of Education		
1. Adult and Community Education	\$ 332,500	\$ 522,000
Higher Education		
1. Foreign Language Institute	\$ 16,200	\$ -
Department of Mental Health and Mental Retardation		
1. Alcohol and Drug Abuse	\$ 415,000	\$4,372,600
Community Services		
2. Administrative Services	\$ 4,000	\$ 119,300
3. Community Mental Health Program	\$ 75,200	\$ 518,300
Total Department of Mental Health and Mental Retardation	\$494,200	\$5,010,200

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Department of Health and Environment

1. Health Care Facilities	\$ 67,600	\$ 90,200
2. Emergency Medical Services	\$ 50,000	\$ 50,000
3. Water Management	\$ 100,000	\$1,155,800
4. Hazardous Waste	\$ 200,200	\$ 122,000
5. Underground Storage Tanks	\$ 808,300	\$ 811,500
6. Family Planning Services	\$ 624,800	\$ 101,900
7. Maternal and Child Health Services	\$1,438,800	\$2,038,000
8. Communicable Disease Control	\$ 809,000	-
9. Women, Infants and Children Program	\$3,730,100	\$3,730,100
10. Aid to Local Health Units	\$1,577,300	-
Total Health and Environment	\$9,405,900	\$8,099,500

Department of Human Services

1. Child Support	\$3,753,600	\$6,545,300
2. Family Assistance	\$ 500,900	-
Total Human Services	\$4,254,500	\$6,545,300

Department of Safety

1. Division of Driver Control	\$ 436,500	\$ 319,300
2. Division of Highway Patrol	\$ 88,800	-
3. Motorcycle Safety	\$ 36,800	-
Total Department of Safety	\$ 562,100	\$ 319,300

TOTAL \$16,253,400 \$20,664,300

The Commissioner of Finance and Administration is authorized to establish 9 full-time positions and to allocate them to the appropriate organizational units including 2 positions for the District Attorneys General. Any unexpended balances at June 30, 1990, of departmental revenues and federal aid funds appropriated in this section are hereby reappropriated in the fiscal year beginning July 1, 1990.

AND FURTHER AMEND by adding the following items to Section 41 of the bill, as introduced, to read:

Item . . . There is hereby appropriated a sum sufficient to the Department of Economic and Community Development for administration of the Child Care Facilities Loan Guarantee Program. Said appropriation shall come from interest earnings allocated to the program under the provisions of Tennessee Code Annotated, Section 4-37-110. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item . . . There is hereby appropriated to the Public Service Commission the sum of \$155,000.00 in the fiscal year ending June 30, 1990, and the sum of \$171,000.00 in the fiscal year ending June 30, 1991. Said sums are required for payment under the state's indirect cost recovery plan.

Item . From the proceeds and interest earnings on the settlement of the Shelby State Community College construction law suit, there is hereby appropriated a sum sufficient for the Shelby State Community College capital outlay project. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item . There is hereby appropriated the sum of \$30,000.00 for the purpose of making grants of \$15,000.00 each to the Blount County Community Action Agency and the Mountain Valley Economic Opportunity Authority. Said grants shall be made in the fiscal year ending June 30, 1990.

Item . Subject to the passage of Senate Bill No. 2081/House Bill No. 1796, there is hereby appropriated a sum sufficient, not to exceed \$3,000,000.00, to the Tennessee Comprehensive Health Insurance Pool. This appropriation is subject to the approval of the Commissioner of Finance and Administration.

Item . To the extent that revenues are determined to be available by the Commissioner of Finance and Administration, there is hereby appropriated an amount not to exceed \$30,000,000.00 to increase the state match in the Medicaid program. Prior to establishing this appropriation in the Medicaid program, the Commissioner of Finance and Administration shall submit a schedule of revised revenue projections to the Finance, Ways and Means Committees for review and such committees must conduct such review in a reasonable period of time before the Commissioner of Finance and Administration gives final approval to establishing the appropriations.

AND FURTHER AMEND by deleting from Section 1, Title III-17, Item 2.3 and by substituting instead the following item and by changing the subtotals accordingly:

"2.3 Health Related Boards	2,843,900.00"
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AND FURTHER AMEND by deleting from Section 4, Title III-18, Item 2.3 and by changing the subtotals accordingly.

AND FURTHER AMEND by adding to Section 41 of the bill, as introduced, the following new items to read:

Item . There is hereby appropriated in the fiscal year ending June 30, 1990, the additional sum of \$319,300.00 to the Health Related Boards in the Department of Health and Environment. Further the Commissioner of Finance and Administration is directed to delete the allotment of departmental revenue to the boards in the same fiscal year.

Item . There is hereby appropriated in the fiscal

year beginning July 1, 1990, to the Health Related Boards in the Department of Health and Environment the sums of a) \$67,000.00 for the Board of Medical Examiners to establish one part-time medical director position and to publish a semi-annual newsletter; b) \$41,000.00 for the Board of Veterinary Medical Examiners to establish one part-time veterinarian position; and c) \$46,000.00 for the Board of Nursing for a quarterly publication.

Item . There is hereby appropriated a sum sufficient to the Department of Health and Environment, Health Related Boards, and to the Department of Commerce and Insurance, Division of Regulatory Boards, for data processing systems development and implementation. Said appropriations are subject to the provisions of Tennessee Code Annotated, Section 4-3-1011 and to the approval of the Commissioner of Finance and Administration.

Item . There is hereby appropriated a sum sufficient to the Registry of Election Finance from the lobbyist registration fees collected by the agency. This appropriation is subject to approval by the Commissioner of Finance and Administration.

Item . There is hereby appropriated in the fiscal year beginning July 1, 1990, to the Water and Wastewater Operators Certification Board the sum of \$27,000.00 to establish one environmental specialist position. This appropriation is subject to fees supporting the appropriation and to approval by the Commissioner of Finance and Administration.

Item . There is hereby appropriated in the fiscal year beginning July 1, 1990, to the Division of Regulatory Boards in the Department of Commerce and Insurance the sums of: a) \$17,200.00 for the State Board of Examiners for Architects and Engineers to establish one support position; b) \$44,700.00 for the Tennessee Real Estate Commission to establish two support positions; c) \$13,600.00 for the Private Protective Services Licensing and Regulation to establish one clerical position; d) \$2,500.00 for the Board of Pharmacy to purchase equipment; e) \$1,500.00 for the Board of Examiners for Land Surveyors to purchase equipment; and f) \$35,700.00 for general administrative support and to establish one clerical position in the investigations section.

AND FURTHER AMEND by deleting from Section 1, Title III-8, Item 3 and by substituting instead the following item and by changing the subtotals accordingly:

"3. Community Development

6,475,100.00"

AND FURTHER AMEND by deleting from Section 41, Item 7 of the bill, as introduced, the entire sentence identified as sub-item "(3)".

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AND FURTHER AMEND by adding to Section 12 of the bill, as introduced, the following new items to read:

Item . There is hereby appropriated the sum of \$1,000,000.00 to the Department of Conservation to make a parks and recreation grant to the City of Memphis.

Item . There is hereby appropriated a sum not to exceed \$3,500,000.00 to UT-Chattanooga to acquire the Siskin property. This appropriation is subject to approval by the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding a new Section to the bill to read:

SECTION . The provisions of this section shall take effect upon becoming a law, the public welfare requiring it. It is the legislative intent to implement the recommendations presented by the Commissioner of Finance and Administration in the document entitled "BUDGET ADJUSTMENT PLANS FY 89-90/FY 90-91" which is dated March 27, 1990. The Commissioner of Finance and Administration is authorized to make the following budget adjustments:

Item . Reduce the estimates of general fund revenue presented in the 1990-1991 budget document in the amounts of \$57,300,000.00 for 1989-90 and \$61,200,000.00 for 1990-91 and to increase the estimate of Treasurers' earnings by \$2,000,000.00 in 1990-91.

Item . Reduce the allotments of appropriations from current funds in the Capital Projects Fund according to the following schedule:

1. Department of Agriculture	\$ 114,000.00
2. Department of Conservation/ Historical Commission	155,000.00
3. Department of Correction	185,000.00
4. Department of Education	150,000.00
5. Department of Finance and Administration	805,000.00
6. Department of General Services	600,000.00
7. Department of Mental Health and Mental Retardation	951,000.00
8. Department of Revenue	33,000.00
9. Department of Tourist Development	50,000.00
10. State Board of Regents	500,000.00
11. University of Tennessee	95,000.00
TOTAL	\$3,638,000.00

There is hereby transferred the sum of \$3,638,000.00 from the Capital Projects Fund to the general fund.

Item 3. Allocate to the Department of Conservation from the Natural Resources Trust Fund interest earnings 1) the sum of \$5,000.00 for land acquisition at Port Royal and 2) the sum of \$50,000.00 for land acquisition at Prentice Cooper state forest. Said amounts are hereby appropriated to the Department of Conservation.

Item 4. Reduce the several reserves listed on page 12 of the document in an amount not to exceed \$112,851,800.00 in 1989-90 and \$2,100,000.00 in 1990-91 and to transfer the sums to the general fund.

Item 5. From the targeted savings benefiting the general fund listed on page 13 of the document, recognize recurring savings of \$7,875,000.00 and non-recurring revenue of \$20,250,000.00 in 1990-91 and to take the necessary actions to achieve these savings.

To the extent the fund balance of the Tennessee Wildlife Resources Agency exceeds \$2,000,000.00 at June 30, 1990, the Commissioner of Finance and Administration is authorized to transfer the available balance, not to exceed \$2,700,00.00, to the general fund in repayment of a loan.

Further the Commissioner of Finance and Administration is authorized to charge the Tennessee Wildlife Resources Agency for payment of the state's indirect cost recovery plan in the fiscal year ending June 30, 1990. To the extent that the Agency's available balance at June 30, 1990, is unable to accommodate the charge, there is hereby appropriated a sum sufficient from the general fund, it being the legislative intent that the Agency's charge under the indirect cost recovery plan be paid.

Item 6. Adjust revenue sources from recurring to non-recurring in the amount of \$23,068,400.00 to recognize the recurring appropriation items shifted to non-recurring which are listed on page 14 of the document.

Item 7. Reduce state appropriations, where required, and adjust the over-appropriation in recognition of the departmental budget adjustment plans listed on pages 15 through 49 of the document. The base over-appropriation in the general fund shall be \$40,000,000.00 in 1989-90 and \$50,000,000.00 in 1990-91. The Commissioner of Finance and Administration is authorized to make the following specific reductions and adjustments:

a) Chapter 563, Public Acts of 1989, is amended by reducing in the amount of \$22,095,676.00, the appropriations made to Higher Education in Section 1, Title III-10 of the act. Further, the appropriations made in this act in Section 1, Title III-10, to Higher Education are specifically reduced in the amount of \$22,708,780.00.

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b) The appropriation made in this act in Section 1, Title III-9, Item 2.4 for the Career Ladder Program, is reduced in the amount of \$6,208,610.67, it being the legislative intent to fund the program from available reserves.

c) The appropriations made in Chapter 563, Public Acts of 1989, to the special schools in Section 1, Title III-9, Item 5, are reduced in the amount of \$1,194,170.91, it being the legislative intent to fund the special schools from available reserves.

d) Further, it is the legislative intent that there be a reversion to the general fund in the amount of \$1,180,000.00 from the appropriations made to the General Assembly in Section 1, Title I of Chapter 563, Public Acts of 1989; and that there be a reversion to the general fund in the amount of \$135,300.00 from the appropriations made in Section 1, Title I of this act.

AND FURTHER AMEND by deleting from Section 40 of the bill, as introduced, Item 1 in its entirety and by renumbering the subsequent items.

AND FURTHER AMEND by deleting from Section 41 of the bill, as introduced, Item 5 in its entirety and by renumbering the subsequent item.

AND FURTHER AMEND by deleting from Section 47 of the bill, as introduced, Item 1 in its entirety and by renumbering the subsequent items.

AND FURTHER AMEND by deleting from Section 50 of the bill, as introduced, Items 1 and 6 in their entirety and by renumbering the subsequent items.

AND FURTHER AMEND by adding the following item at the end of Section 10:

Item _____. From appropriations made within this act to the victims of drunk drivers' compensation fund, there is hereby appropriated a sum sufficient to honor claims for lost wages filed by persons victimized by drunk drivers on or after June 1, 1988 where such persons were unable to return to employment for more than fifty-two weeks as a result of their victimization. Such claims shall be determined using the monetary limitations provided in Public Chapter 755 of the Acts of 1990.

On motion, Amendment No. 2 was adopted.

Rep. West moved that Amendment No. 3 be withdrawn, which motion prevailed.

Thereupon, Rep. Bragg moved that **Senate Bill No. 2392**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	1

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Uasery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

Representatives voting no were: Moore (Shelby) -- 1.

A motion to reconsider was tabled.

***House Bill No. 2259** -- Bond Issues -- Authorizes \$141,400,000 bond issue for certain purposes; cancels certain bonds.

On motion, House Bill No. 2259 was made to conform with Senate Bill No. 2391.

On motion, **Senate Bill No. 2391**, on same subject, was substituted for House Bill No. 2259.

Rep. Bragg moved that **Senate Bill No. 2391** be passed on third and final consideration.

On motion, Rep. Bragg withdrew Finance, Ways and Means Committee Amendment No. 1.

Rep. Bragg moved that **Senate Bill No. 2391** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	99
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis

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(Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 99.

A motion to reconsider was tabled.

BILL RETURN REQUESTED

Pursuant to Rule No. 54, Rep. Hubbard moved that the Clerk request the return of Senate Bill No. 2457 from the Senate, which motion prevailed.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE MESSAGE

***House Bill No. 2364 -- Traffic Safety -- Removes alternative for slow moving emblems to be displayed on cotton wagons; continues to require a light. Amends TCA 55-9-401.**

Senate Amendment No. 1

Amend House Bill No. 2364 by deleting the language in Section 1 in its entirety and substituting therefor the following:

Tennessee Code Annotated, Section 55-9-401, is amended by deleting the second sentence in its entirety and substituting therefor the following:

Provided, however, that cotton wagons used exclusively to transport cotton shall not be required to display the light described in the preceding sentence, but shall display (1) a red tail lamp on the lower left corner of the rear of such wagon and (2) a triangle-shaped slow-moving vehicle identification emblem meeting Standard S276.8 of the American Society of Agricultural Engineers.

Senate Amendment No. 2

Amend House Bill No. 2364 by adding the following additional language to Section 1:

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Section 55-9-401, is further amended by adding thereto the following additional language:

The user of a cotton wagon shall be responsible for the proper function of the symbol or light, except for any malfunction resulting from the act or omission of another person.

Rep. Holt moved that the House concur in Senate Amendment(s) No(s) 1 and 2 to House Bill No. 2364, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on the motion to concur in Senate Amendments to House Bill No. 2364 and have this statement entered in the Journal.

Rep. Gary Odom

MESSAGE CALENDAR, CONTINUED

MOTION TO RECONSIDER

Rep. Bivens moved to lift from the table the motion to reconsider Senate Bill No. 2423, which motion prevailed.

*Senate Bill No. 2423 -- Education -- Revises provisions relative to education. Amends TCA, Title 49.

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Rep. Bivens moved the House reconsider its action in passing Senate Bill No. 2423, which motion prevailed.

On motion, the House reconsidered its action in adopting Amendment No. 1. On motion, Amendment No. 1 was withdrawn.

Rep. Davidson moved to amend as follows:

Amendment No. 2

Amend Senate Bill No. 2423 by adding a new section immediately before the Severability Clause as follows:

SECTION _____. Tennessee Code Annotated, Section 49-5-5703, is amended by redesignating subsection (a) to be (a)(1) and by adding a new subsection (a)(2) to read as follows:

(a)(2) Any principal or administrator who has not satisfied the requirements of this subsection as of the effective date of this act shall have one (1) additional year, for a total of six (6) years, in which to fulfill these requirements. This provision shall expire on August 31, 1991.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Bivens moved that Senate Bill No. 2423, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

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HOUSE ACTION ON SENATE MESSAGE

***Senate Bill No. 0112** -- Motor Vehicles, Titling and Registration -- Creates license plate for U.S. Reserve Forces. Amends TCA, Title 55, Ch. 4.

Rep. Starnes moved that the House refuse to recede from its action in adopting Amendment(s) No(s). 2 and 3 to **Senate Bill No. 112**, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 0399** -- Barbers -- Specifies requirements for licensed barber instruction. Amends TCA, Title 62, Ch. 3.

Senate Amendment No. 2

AMEND House Bill No. 399 by deleting Section 4 in its entirety and by renumbering the remaining sections accordingly.

AND FURTHER AMEND by deleting in Section 6 the language "September 1, 1989" and by substituting instead the language "September 1, 1990".

Rep. C. Turner (Shelby) moved that the House concur in Senate Amendment(s) No(s). 2 to **House Bill No. 399**, which motion prevailed by the following vote:

Ayes.	91
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odum, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 91.

A motion to reconsider was tabled.

CONFERENCE COMMITTEE APPOINTED
ON SENATE BILL NO. 957

Senate Bill No. 0957 -- Real Property -- Enacts Uniform

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Conservation Easement Law. Amends TCA, Title 66, Ch. 9.

Pursuant to Rule No. 73, Representative Dixon moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill No. 957, which motion prevailed.

The Speaker appointed Representatives Dixon, Buck and Kernell as the House members of the Conference Committee.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 2457, as requested.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

BILL RECALLED

Rep. King moved that the rules be suspended for the purpose of recalling House Joint Resolution No. 811 from the Judiciary Committee for immediate consideration, which motion prevailed.

***House Joint Resolution No. 0811 -- Memorials, Government Officials -- Authorizes commissioners of Goodwyn Institute to request attorney general to file suit to alter trust regarding maintaining of library.**

Rep. King moved that House Joint Resolution No. 811 be reset to the Calendar for Thursday, April 12, 1990, which motion prevailed.

MESSAGE CALENDAR, CONTINUED

MOTION TO RECONSIDER

Rep. Anderson moved to lift from the table the motion to reconsider Senate Bill No. 1357, which motion prevailed.

***Senate Bill No. 1357 -- Taxes, Real Property -- Requires payments in lieu of taxes by persons who lease governmental property to develop and operate certain recreational properties. Amends TCA, Title 67.**

Rep. Anderson moved to reconsider action in passing Senate Bill No. 1357, which motion prevailed.

On motion, the House reconsidered its action in adopting Amendment No. 1. On motion, Amendment No. 1 was withdrawn.

Rep. Anderson moved that Senate Bill No. 1357 be passed on third

and final consideration, which motion prevailed by the following vote:

Ayes.	98
Noes.	1

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

Representatives voting no were: Turner, L. (Shelby) -- 1.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1862 -- Motor Vehicles -- Revises penalties for violation of bumper law. Amends TCA 55-9-215.

Senate Amendment No. 2

Amend House Bill No. 1862 by deleting Section 2 in its entirety and by substituting instead the following:

Section 2. Tennessee Code Annotated, Section 55-9-215, is amended by adding the following new subsections to be appropriately designated:

() No person shall modify or cause to be modified by the use of lift blocks the front end suspension of a motor vehicle.

() Maximum frame heights for motor vehicles shall be as follows:

(1) Passenger cars 22 inches

(2) Trucks and recreational vehicles:

(A) 4,500 lbs. and under 24 inches

(B) 4,501-7,500 lbs. 26 inches

(C) 7,501-10,000 lbs. 28 inches

Frame height measurements shall be taken directly from below the steering wheel.

() No person shall operate a motor vehicle having a distance greater than four (4) inches between the body floor and the top of the frame.

() No person shall modify or cause to be modified the original manufacturer installed steering mechanism, including welding, nor the front spindle where the break pads mount, on a passenger vehicle or a truck or recreational vehicle with a weight up to ten thousand (10,000) pounds.

Section 3. This act shall take effect September 1, 1990, the public welfare requiring it.

Senate Amendment No. 3

Amend House Bill No. 1862 by deleting from Section 2 the following:

Frame height measurements shall be taken directly from below the steering wheel.

and by substituting instead the following:

Frame height measurements shall be taken from the bottom of the frame by measuring the vertical distance between the ground and the lowest point of the frame directly below the point in line with the center of the steering wheel.

Rep. Rhinehart moved that the House concur in Senate Amendment(s) No(s). 2 and 3 to House Bill No. 1862, which motion prevailed by the following vote:

Ayes.	90
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Gaia, Garrett, Givens, Good, Halteman, Harrill, Hassell, Haun, Head, Henry (Roane), Herron, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Shelby), Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson

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(Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 90.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on the motion to concur in amendments to House Bill No. 1862 and have this statement entered in the Journal.

Rep. Randy Stamps

MESSAGE CALENDAR, CONTINUED

HOUSE ACTION ON SENATE AMENDMENTS

*House Bill No. 1607 -- Sunset Laws -- Extends termination date of Tennessee state veterans' homes board. Amends TCA, Title 4, Ch. 29; Title 58, Ch. 7.

Senate Amendment No. 2

Amend House Bill No. 1607 by adding at the end of the bill, as amended, the following new section:

SECTION _____. This act shall take effect on July 1, 1990, the public welfare requiring it.

Rep. King moved that the House concur in Senate Amendment(s) No(s). 2 to House Bill No. 1607, which motion prevailed by the following vote:

Ayes.	93
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Clark, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cooke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, B. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Perpulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L.

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(Shelby), Ussery, Webb, West, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1920 -- Motor Vehicles -- Authorizes dark tinted windows on motor vehicles under certain circumstances. Amends TCA 55-9-107.

Senate Amendment No. 4

Amend House Bill No. 1920 by adding the following at the end of the amendatory language of Section 1:

Any applicant aggrieved by a decision of the medical review board or the commissioner may appeal in accordance with the provisions of the Tennessee Uniform Administrative Procedures Act, Title 4, Chapter 5.

Rep. Rhinehart moved that the House concur in Senate Amendment(s) No(s). 4 to House Bill No. 1920, which motion prevailed. A motion to reconsider was tabled.

Senate Amendment No. 5

Amend House Bill No. 1920 by deleting from the amendatory language the words after "person" in line 2 starting with the word "with" the words down to and including the word "light" in line 3 before "may"

Rep. Rhinehart moved that the House nonconcur in Senate Amendment(s) No(s). 5 to House Bill No. 1920, which motion prevailed.

FURTHER ACTION ON HOUSE BILL

***House Bill No. 2166 -- Utilities, Utility Districts --** Permits referendum on ouster of commissioners of water utility district in certain counties. Amends TCA 7-82-307.

Rep. Naifeh moved that House Bill No. 2166 be held on the Clerk's desk, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1746 -- Criminal Offenses -- Bans paramilitary training under certain circumstances. Amends TCA, Title 39, Ch. 17, Pt. 3.

Senate Amendment No. 2

Amend House Bill No. 1746 by adding the following sentence at the end of subsection (e) of Section 1:

"Nothing contained in this section makes unlawful any practice or drill of an organization whose purpose is the reenactment of battles for historic purposes or of ceremonial organizations of a military nature."

Rep. DePriest moved that the House concur in Senate Amendment(s) No(s). 2 to House Bill No. 1746, which motion prevailed by the following vote:

Ayes.	98
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 98.

A motion to reconsider was tabled.

MOTION TO RECONSIDER

Rep. King moved to lift from the table the motion to reconsider Senate Bill No. 1902, which motion prevailed.

*Senate Bill No. 1902 -- Deeds -- Imposes certain requirements pertaining to recorded transfers of real property. Amends TCA, Titles 8, 66.

Rep. King moved to reconsider action in passing Senate Bill No. 1902, which motion prevailed.

On motion, the House reconsidered its action in adopting Amendment No. 3. On motion, Amendment No. 3 was withdrawn.

Thereupon, Rep. King moved that Senate Bill No. 1902 be passed on third and final consideration, as amended, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

REGULAR CALENDAR, CONTINUED

House Bill No. 2506 -- Gas, Petroleum Products, Volatile Oils -- Levies environmental assurance fee for petroleum underground storage tank fund; establishes reporting and cleanup guidelines for leaking tanks. Amends TCA, Title 67, Ch. 3, Pt. 9; Title 68, Ch. 53, Pt. 1.

Rep. Head moved that House Bill No. 2506 be reset to the Calendar for Thursday, April 12, 1990, which motion prevailed.

***House Bill No. 1643** -- Solid Waste Disposal -- Expands powers of municipalities relative to energy production facilities. Amends TCA, Title 7, Ch. 54.

On motion, House Bill No. 1643 was made to conform with Senate Bill No. 2172.

On motion, **Senate Bill No. 2172**, on same subject, was substituted for House Bill No. 1643.

Rep. Severance moved that **Senate Bill No. 2172** be passed on third and final consideration.

On motion, Rep. Hillis withdrew Conservation and Environment Committee Amendment No. 1.

Rep. Hillis moved adoption of Conservation and Environment Committee Amendment No. 2 as follows:

Amendment No. 1

Amend Senate Bill No. 2172 by adding the following new subsections at the end of the amendatory language of the original Section 1:

() Notwithstanding any other provision of law to the contrary, no municipality shall enter into any agreement or enact any ordinance or resolution restricting the right of any person with respect to recyclable materials or substances at any time prior to pickup by or delivery to any municipality for disposal, processing, reuse, incineration, recycling, or any other technique of solid waste management as provided by this chapter or the Solid Waste Disposal Act.

() Notwithstanding any other provision of law to the contrary, no municipality, county or other governmental body shall compete unfairly with the private sector by purchasing or offering to purchase materials for purposes of recycling at prices higher than the highest prevailing market prices in the county in which the purchase is made for such materials of like grade and quality.

On motion, Amendment No. 1 was adopted.

On motion, Rep. Hillis withdrew Conservation and Environment Committee Amendment No. 3.

Rep. Wheeler moved to amend as follows:

Amendment No. 2

Amend Senate Bill No. 2172 by adding the following item to the end of Section 1:

() A municipality with an energy production facility shall dispose of the ash, bypass or any byproduct generated by such energy production facility in the county in which the energy production facility is located unless the Commissioner of Health and Environment certifies that there is no geologically suitable site in such county or the municipality with an energy production facility contracts with another municipality or county or with a private entity with the concurrence of such other municipality or county to dispose of the ash, bypass or any byproduct generated by such energy production facility.

Rep. Severance moved that Amendment No. 2 be tabled, which motion failed by the following vote:

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Ayes.	35
Noes.	51
Present and not voting.	3

Representatives voting aye were: Austin, Bittle, Buck, Byrd, Callicott, Chiles, Cole, Collier, Copeland, Cross, Davis (Cocke), Davis (Knox), Garrett, Haun, Hillis, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, McDaniel, Moody, Napier, Peroulas, Phillips, Purcell, Rhinehart, Scruggs, Severance, Turner, C. (Shelby), Turner, L. (Shelby), Whitson, Wood -- 35.

Representatives voting no were: Anderson, Armstrong, Bivens, Bragg, Burchfield, Burnett, Cain, Clark, Coffey, Crain, Curlee, Davidson, Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Gunnels, Halteman, Harrill, Hassell, Henry (Roane), Herron, Hobbs, Holcomb, Holt, Jackson, Kisber, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Ridgeway, Robinson (Washington), Shirley, Stallings, Stamps, Starnes, Turner (Hamilton), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe -- 51.

Representatives present and not voting were: Good, Pinion, Robinson (Hamilton) -- 3.

Thereupon, Rep. Wheeler renewed the motion to adopt Amendment No. 2, which motion prevailed by the following vote:

Ayes.	60
Noes.	26
Present and not voting.	2

Representatives voting aye were: Anderson, Armstrong, Austin, Bivens, Bragg, Burchfield, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Copeland, Crain, Curlee, Davidson, Davis (Gibson), DeBerry, DePriest, Dixon, Duer, Givens, Gunnels, Harrill, Hassell, Haun, Henry (Putnam), Henry (Roane), Herron, Hobbs, Holcomb, Holt, Jackson, Jones, R. (Shelby), Kent, Kisber, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Pruitt, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Stallings, Stamps, Starnes, Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix -- 60.

Representatives voting no were: Bittle, Buck, Chiles, Cole, Collier, Cross, Davis (Cocke), Davis (Knox), Gaia, Hillis, Hubbard, Huskey, Jones, U. (Shelby), Kernell, King, McDaniel, Peroulas, Phillips, Purcell, Rhinehart, Scruggs, Severance, Turner, L. (Shelby), Whitson, Wolfe, Wood -- 26.

Representatives present and not voting were: Good, Pinion -- 2.

Rep. Severance moved to amend as follows:

Amendment No. 3

AMEND Senate Bill No. 2172 by inserting the following language in the first sentence of subsection (o) of Section 1 between the words "urban municipalities" and the words "require additional funding":

currently constructing, financing, operating or maintaining energy production facilities

AND FURTHER AMEND by deleting from the second sentence of subsection (o) of Section 1 all the language up to and including the words "within the geographic area", and by substituting instead the following language:

Therefore, upon the approving vote of its governing body, and in the case of a not-for-profit corporation the approving vote of the governing body of any one or more municipalities on whose behalf or for whose benefit such not-for-profit corporation is acting, any municipality which is constructing, financing, operating or maintaining an energy production facility or entering into a contract authorized by Section 7-54-105(a)(3), may establish, levy and collect rates and fees or charges from all persons to whom solid waste management services are made available within the geographic area

AND FURTHER AMEND by changing the period at the end of the second sentence of subsection (o) of Section 1 to a semi-colon and by adding the following language:

provided, however, under no circumstances shall any municipality establish, levy or collect rates and fees or charges in any county other than the county in which such municipality is located.

AND FURTHER AMEND by deleting the words "within the geographic area in which such waste management services are provided" from subsection (p) of Section 1 and by substituting instead the language "pursuant to subsection (o)".

AND FURTHER AMEND by deleting the brackets following the word "thereto" in subsection (s) of Section 1.

AND FURTHER AMEND by moving the language designated as subsection (v) to be designated as Section 3, by deleting the parentheses and letter "(v)", by redesignating subsequent sections accordingly, by adding the following directory language at the beginning of such section:

SECTION 3. Tennessee Code Annotated, Section 7-54-103, is amended by adding the following language as a new, appropriately designated subsection:

and by changing the period at the end of the subsection to a

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comma and by adding the following language:

except as otherwise provided by law.

AND FURTHER AMEND by deleting subsection (u) in its entirety, and by relettering subsequent subsections accordingly.

AND FURTHER AMEND by adding the following language at the end of Section 1:

The provisions of this section shall only apply in any county having a population of not less than three hundred nineteen thousand six hundred twenty-five (319,625) nor more than three hundred nineteen thousand seven hundred twenty-five (319,725), according to the 1980 federal census or any subsequent federal census and any municipality located in such county. The provisions of this section shall be implemented in such county upon the adoption of a resolution by a two-thirds (2/3) vote of the county legislative body. If such powers are to be exercised by a not-for-profit corporation acting on behalf or for the benefit of any town, city or county to which this section applies, the legislative body of such municipality or county shall by resolution vest the authority as provided in this section in such not-for-profit corporation.

On motion, Amendment No. 3 was adopted.

Rep. Severance moved to amend as follows:

Amendment No. 4

Amend by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Title 7, Chapter 54, Part 1, is amended by adding the following language as a new appropriately numbered section:

Section _____. Prior to the commencement of operations, any facility constructed pursuant to this chapter shall comply with all state and federal laws, rules or regulations governing air quality standards and emissions from such facility, and the impact of such emissions upon any U.S. National Park Service area.

On motion, Amendment No. 4 was adopted by the following vote:

Ayes.	64
Noes.	15
Present and not voting.	8

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Representatives voting aye were: Armstrong, Austin, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Callicott, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Gibson), Davis (Knox), DePriest, Duer, Garrett, Givens, Harrill, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Holcomb, Holt, Hubbard, Jackson, Kent, Kernell, King, Kisber, Love, McDaniel, Moore (Lawrence), Naifeh, Nuber, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Turner, L. (Shelby), Webb, West, Wheeler, Williams, Wix, Wolfe, Yelton, Mr. Speaker Murray -- 64.

Representatives voting no were: Byrd, Cain, Dixon, Halteman, Jones, R. (Shelby), Jones, U. (Shelby), McAfee, Niceley, Ridgeway, Robinson (Washington), Starnes, Turner (Hamilton), Turner, C. (Shelby), Ussery, Wood -- 15.

Representatives present and not voting were: Clark, Good, Hassell, Hobbs, Moore (Shelby), Odom, Pinion, Winningham -- 8.

Rep. West moved that Amendment No. 5 be withdrawn, which motion prevailed.

Rep. Odom moved to amend as follows:

Amendment No. 5

Amend Senate Bill No. 2172 by adding the following new section immediately preceding the effective date section and by renumbering the subsequent section accordingly:

Section _____. If the provisions of this act which limit the application of Section 1 to any county having a population of not less than three hundred nineteen thousand six hundred twenty-five (319,625) nor more than three hundred nineteen thousand seven hundred twenty-five (319,725), according to the 1980 federal census or any subsequent federal census are declared invalid, then all provisions of Section 1 of this act shall be invalid and void.

On motion, Amendment No. 5 was adopted.

Rep. Kent moved that Amendment No. 6 be withdrawn, which motion prevailed.

Rep. Moody moved to amend as follows:

Amendment No. 6

AMEND Senate Bill No. 2172 by deleting the word "governor" wherever it appears in the original Section 1 and by substituting instead the words "commissioner of safety".

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AND FURTHER AMEND by deleting the words "secretary of state" in the original Section 7 and by substituting instead the words "commissioner of safety".

AND FURTHER AMEND by deleting the word "governor" from the amendatory language in the original Section 8 and by substituting instead the words "commissioner of safety".

On motion, Amendment No. 6 was adopted.

Rep. Moody moved that Amendment No. 7 be withdrawn, which motion prevailed.

Rep. Davis (Knox) moved to amend as follows:

Amendment No. 7

Amend Senate Bill No. 2172 by deleting the second sentence of the second amendatory paragraph and substituting instead the following:

The provisions of this section shall be implemented in such county only if approved in an election herein provided in the county or the municipality as the case may be.

The county election commission shall hold an election thereon, providing options to vote "FOR" and "AGAINST" the approving vote, at the next regularly scheduled county-wide or municipality-wide general election after the receipt of a certified copy of such approving vote, and a majority vote of those voting in the election shall determine whether the approving vote is to be operative.

If the majority vote is for the approving vote, it shall be deemed to be operative on the date that the county election commission makes its official canvass of the election returns. Provided, however, that no rates or fees shall be collected under any such approving vote until the first day of a month occurring at least thirty (30) days after the operative date.

Should any county or municipality hold an election hereunder, and the approving vote is rejected, no other election thereon shall be held by such county or municipality for a period of six (6) months from the date of the holding of such prior election.

Rep. Henry (Roane) moved that Amendment No. 7 be tabled, which motion failed by the following vote:

Ayes.	28
Noes.	45
Present and not voting.	6

Representatives voting aye were: Austin, Bittle, Buck, Callicott, Coffey, Cole, Collier, Cross, Davidson, Duer, Givens, Haun, Head, Henry (Putnam), Henry (Roane), Hillis, Hubbard, Love, McAfee, Phillips, Rhinehart, Robinson (Hamilton), Scruggs, Turner, L. (Shelby), Wheeler, Wix, Wolfe, Wood -- 28.

Representatives voting no were: Armstrong, Bivens, Burchfield, Burnett, Byrd, Cain, Clark, Curlee, Davis (Cocke), Davis (Knox), Dixon, Gaia, Halteman, Hassell, Herron, Holcomb, Holt, Huskey, Jackson, Kent, Kernell, King, Kisber, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Pruitt, Purcell, Ridgeway, Shirley, Sipes, Stallings, Stamps, Turner, C. (Shelby), Ussery, West, Whitson, Williams, Winningham -- 45.

Representatives present and not voting were: Bragg, Good, Gunnels, Hobbs, Pinion, Starnes -- 6.

Rep. Rhinehart moved to reject Amendment No. 7.

Rep. Davis (Knox) moved the motion to reject Amendment No. 7 to the table, which motion prevailed by the following vote:

Ayes.	44
Noes.	33
Present and not voting.	7

Representatives voting aye were: Armstrong, Burchfield, Byrd, Cain, Clark, Curlee, Davis (Cocke), Davis (Knox), DeBerry, Dixon, Gaia, Halteman, Hassell, Herron, Holcomb, Holt, Huskey, Jackson, Jones, R. (Shelby), Kent, King, Kisber, McDaniel, Moore (Shelby), Naifeh, Niceley, Odom, Peroulas, Pruitt, Purcell, Ridgeway, Robinson (Hamilton), Shirley, Sipes, Stallings, Stamps, Starnes, Turner, C. (Shelby), Ussery, West, Whitson, Williams, Winningham, Mr. Speaker Murray -- 44.

Representatives voting no were: Austin, Bittle, Bivens, Buck, Burnett, Callicott, Chiles, Coffey, Cole, Collier, Crain, Cross, Davidson, DePriest, Duer, Givens, Haun, Head, Henry (Putnam), Henry (Roane), Hillis, Hubbard, Love, McAfee, Napier, Nuber, Phillips, Rhinehart, Scruggs, Wheeler, Wix, Wolfe, Wood -- 33.

Representatives present and not voting were: Bragg, Good, Gunnels, Hobbs, Moore (Lawrence), Pinion, Yelton -- 7.

Rep. Davis (Knox) renewed the motion to adopt Amendment No. 7.

Rep. Haun moved the previous question, which motion prevailed.

Thereupon, Rep. Davis (Knox) renewed the motion to adopt Amendment No. 7, which motion prevailed by the following vote:

Ayes.	46
Noes.	34
Present and not voting.	5

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Representatives voting aye were: Armstrong, Bragg, Burchfield, Burnett, Byrd, Cain, Clark, Curlee, Davis (Cocke), Davis (Knox), Dixon, Gaia, Halteman, Hassell, Herron, Holcomb, Holt, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Niceley, Nuber, Odom, Peroulas, Pruitt, Purcell, Ridgeway, Robinson (Davidson), Shirley, Stallings, Stamps, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), West, Whitson, Williams, Winningham -- 46.

Representatives voting no were: Austin, Bittle, Bivens, Buck, Callicott, Coffey, Cole, Collier, Crain, Cross, Davidson, Davis (Gibson), Givens, Harrill, Haun, Head, Henry (Putnam), Henry (Roane), Hillis, Hubbard, Love, McAfee, Napier, Phillips, Robinson (Hamilton), Robinson (Washington), Scruggs, Turner (Hamilton), Wheeler, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 34.

Representatives present and not voting were: Good, Gunnels, Hobbs, McDaniel, Pinion -- 5.

Rep. Clark moved that Amendment No. 8 be withdrawn, which motion prevailed.

Rep. Odom moved that Amendment No. 8 be withdrawn, which motion prevailed.

Rep. Moody moved to amend as follows:

Amendment No. 8

Amend Senate Bill No. 2172 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. No waste management services by an energy production facility operating in any county having a population of not less than 319,625 nor more than 319,725, according to the 1980 federal census or any subsequent federal census, authorized by the provisions of Section 1 of this act shall be provided to any resident of any county having a population of not less than 49,275 nor more than 49,375 according to the 1980 federal census or any subsequent federal census, nor shall any rates, fees, or charges in any way be assessed against nor collected from any resident of such county for such services.

On motion, Amendment No. 8 was adopted.

Rep. Moody moved that Amendment No. 9 be withdrawn, which motion prevailed.

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Thereupon, Rep. Severance moved passage of Senate Bill No. 2172, as amended, on third and final consideration, which motion failed by the following vote:

Ayes.	40
Noes.	50
Present and not voting.	5

Representatives voting aye were: Bittle, Buck, Callicott, Chiles, Coffey, Cole, Collier, Copeland, Cross, DeBerry, Givens, Gunnels, Haun, Head, Henry (Putnam), Henry (Roane), Hillis, Holcomb, Hubbard, Jackson, King, McAfee, Moody, Moore (Lawrence), Napier, Peroulas, Phillips, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Starnes, Turner (Hamilton), Wheeler, Whitson, Wolfe, Wood, Yelton -- 40.

Representatives voting no were: Anderson, Armstrong, Austin, Bivens, Bragg, Burchfield, Burnett, Byrd, Cain, Clark, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Dixon, Duer, Gaia, Halteman, Harrill, Hassell, Herron, Hobbs, Holt, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kisber, Love, McDaniel, Naifeh, Niceley, Nuber, Odom, Purcell, Ridgeway, Shirley, Sipes, Stallings, Stamps, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Williams, Winningham, Wix -- 50.

Representatives present and not voting were: Good, Kernell, Moore (Shelby), Pinion, Pruitt -- 5.

Pursuant to Rule No. 63, having received a constitutional majority in the negative, a motion was entertained to reject Senate Bill No. 2172. Seeing none, the Speaker re-referred Senate Bill No. 2172 to the Calendar and Rules Committee.

ENGROSSED BILLS

April 11, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 2387; also, House Joint Resolution(s) No(s). 920; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1714, 1901, 2226 and 2684; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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ENGROSSED BILLS

April 11, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolution(s) No(s). 917; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 2392.

The Senate nonconcurred in House Amendment(s) No(s). 1 and 2.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1868; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REGULAR CALENDAR, CONTINUED

*House Bill No. 2132 -- Real Estate Agents and Brokers -- Clarifies liability of real estate recovery account; changes procedures and fees for temporary retirement of licenses. Amends TCA 62-13-208, 62-13-310, 312, 314, 318.

On motion, House Bill No. 2132 was made to conform with Senate Bill No. 2389.

On motion, Senate Bill No. 2389, on same subject, was substituted for House Bill No. 2132.

Rep. King moved that Senate Bill No. 2389 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. King moved that Senate Bill No. 2389 be passed on third and

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final consideration, which motion prevailed by the following vote:

Ayes.	92
Noes.	1

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Good, Gunnele, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nuber, Odom, Peroulas, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 92.

Representatives voting no were: Shirley -- 1.

A motion to reconsider was tabled.

MOTION TO RECONSIDER

Rep. Hubbard moved to lift from the table the motion to reconsider Senate Bill No. 2457, which motion prevailed.

Senate Bill No. 2457 -- Alcoholic Beverages -- Expands definition of "historic performing arts center" for purposes of consumption of alcoholic beverages. Amends TCA 57-4-102.

Rep. Hubbard moved the House reconsider its action in passing Senate Bill No. 2457, which motion prevailed.

Rep. Hubbard moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 2457 by deleting the symbol and number "(9)" in Section 1 and by substituting instead the symbol and number "(13)".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Hubbard moved that **Senate Bill No. 2457**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	55
Noes.	31
Present and not voting.	3

Representatives voting aye were: Anderson, Armstrong, Austin, Bittle, Bivens, Burchfield, Burnett, Cain, Chiles, Coffey, Copeland, Davis (Cocke), DeBerry, Dixon, Duer, Gaia, Givens, Good, Hassell, Haun, Head, Henry (Roane), Hillis, Hubbard, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, Moody, Moore (Shelby), Naifeh, Nuber, Peroulas, Phillips, Pruitt, Purcell, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Yelton, Mr. Speaker Murray -- 55.

Representatives voting no were: Bell, Bragg, Buck, Byrd, Collier, Crain, Davidson, Davis (Gibson), Gunnels, Halteman, Harrill, Henry (Putnam), Herron, Hobbs, Holcomb, Holt, Jackson, McAfee, McDaniel, Moore (Lawrence), Niceley, Pinion, Rhinehart, Shirley, Sipes, Stallings, Stamps, Turner, C. (Shelby), Winningham, Wolfe, Wood -- 31.

Representatives present and not voting were: Cross, Davis (Knox), DePriest -- 3.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. DeBerry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 926 out of order, which motion prevailed.

House Joint Resolution No. 0926 -- Memorials, Condolence -- Honors memory of Harper Brewer, Jr. by *DeBerry, *Dixon, *Pruitt, *Love, *Turner L, *Jones U, *King, *Jones R.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. DeBerry, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard,

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Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

BILL REFERRED

Rep. Dixon moved that House Bill No. 2695 be referred to the Labor and Consumer Affairs Committee under the order of business "House Bills on Second Consideration", which motion prevailed.

REGULAR CALENDAR, CONTINUED

House Bill No. 2138 -- Water Pollution -- Excludes certain restoration of swamps from definition of pollution under water quality laws. Amends TCA, Title 69, Ch. 3.

Further consideration of House Bill No. 2138, previously considered on March 21, March 28 and April 5, 1990, at which time it was reset to the Calendar for April 11, 1990.

Rep. Holt moved that House Bill No. 2138 be re-referred to the Calendar and Rules Committee, which motion prevailed.

***House Bill No. 2401 -- Metropolitan Government --** Changes officers to be appointed by metropolitan airport authorities. Amends TCA, Title 42, Ch. 4.

Further consideration of House Bill No. 2401, previously considered on April 5, 1990, at which time it was reset to the Calendar for April 11, 1990.

On motion, House Bill No. 2401 was made to conform with Senate Bill No. 2491.

On motion, **Senate Bill No. 2491**, on same subject, was substituted for House Bill No. 2401.

Rep. West moved that **Senate Bill No. 2491** be passed on third and final consideration.

On motion, Rep. Love withdrew State and Local Government Committee Amendment No. 1.

Rep. West moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 2491 by renumbering Section 2 as Section 4 and adding the following new Sections 2 and 3:

SECTION 2. Tennessee Code Annotated, Section 42-4-105(d)(1)(B), is amended by deleting the fourth sentence thereof and substituting the following:

Therefore, the two (2) additional positions created by subdivision (a)(1)(B) shall be filled by persons who, at the time of appointment, are domiciled within five (5) miles of the end of those runways previously described and shall continue to be domiciled within this five-mile radius throughout their terms.

SECTION 3. Nothing in this act shall be construed as having the effect of removing any appointee from office prior to the end of the term for which he or she was appointed.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. West moved that Senate Bill No. 2491, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	91
Noes.	3

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Coffey, Cole, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 91.

Representatives voting no were: Callicott, Chiles, Scruggs -- 3.

A motion to reconsider was tabled.

House Bill No. 1801 -- Courts, Supreme Court of Tennessee --

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Designates at large seats as Part I and Part II. Amends TCA 16-3-101.

Further consideration of House Bill No. 1801, previously considered on March 22 and April 5, 1990, at which time it was reset to the Calendar for April 11, 1990.

Rep. Burnett moved that House Bill No. 1801 be re-referred to the Calendar and Rules Committee, which motion prevailed.

**MESSAGE FROM SENATE
April 11, 1990**

MR. SPEAKER: I am directed to request the return of House Bill No. 2166, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL RETURNED

There being no objection, Rep. Naifeh asked that the Clerk be directed to return House Bill No. 2166 to the Senate as requested.

REGULAR CALENDAR, CONTINUED

*House Bill No. 2653 -- Election Laws -- Requires only computer printout at polling place in lieu of both printout and duplicate registration records if requested by county legislative body by resolution of Tipton, Dyer, Fayette or Crockett counties. Amends TCA 2-5-216.

Further consideration of House Bill No. 2653, previously considered on April 9, 1990, at which time it was reset to the Calendar for April 11, 1990.

On motion, House Bill No. 2653 was made to conform with Senate Bill No. 2678.

On motion, Senate Bill No. 2678, on same subject, was substituted for House Bill No. 2653.

Rep. Holt moved that Senate Bill No. 2678 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Cole, Collier, Copeland, Crain, Cross, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry,

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DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

CONSENT CALENDAR

Senate Joint Resolution No. 0589 -- Memorials, Sports -- Honors Coach Lisa Caudle Hutchins and South Side High School girls' basketball team.

Senate Joint Resolution No. 0592 -- Memorials, Sports -- Congratulates Warren County Senior High School Varsity Cheerleaders upon winning national cheerleading championship.

Senate Joint Resolution No. 0593 -- Memorials, Retirement -- Honors Judge Jack R. Musick on retirement as Circuit Judge of First Judicial District.

Senate Joint Resolution No. 0613 -- Memorials, Public Service -- Honors Raleigh Community Council for service to community.

Senate Joint Resolution No. 0622 -- Naming and Designating -- Designates Tuesday, April 17, 1990, Eugene L. Joyce Day.

Senate Joint Resolution No. 0623 -- Memorials, Sports -- Honors Jennifer Azzi for basketball accomplishment.

Senate Joint Resolution No. 0626 -- Memorials, Sports -- Honors Grundy County High School boys' and girls' basketball teams.

Senate Joint Resolution No. 0627 -- Memorials, Sports -- Honors Central High School boys' and girls' basketball teams.

Senate Joint Resolution No. 0628 -- Memorials, Sports -- Honors Meigs County High School Lady Tigers basketball team.

House Bill No. 2253 -- Motor Vehicles -- Regulates turn lanes. Amends TCA, Title 55, Ch. 8, Pt. 1.

On motion, House Bill No. 2253 was made to conform with Senate Bill No. 2115.

On motion, **Senate Bill No. 2115**, on same subject, was

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substituted for House Bill No. 2253.

***House Bill No. 2598 -- Courts, General Sessions --** Permits non-lawyer general sessions judges to receive salary supplement for juvenile jurisdiction. Amends Chapter , Public Acts of 1990.

House Bill No. 2021 -- Drugs -- Prohibits prescribing amphetamine drugs for weight control. Amends TCA, Title 53, Ch. 10.

On motion, House Bill No. 2021 was made to conform with Senate Bill No. 1917.

On motion, Senate Bill No. 1917, on same subject, was substituted for House Bill No. 2021.

House Bill No. 2622 -- Highway Signs -- Designates certain highways in Gibson County as Blue Star Memorial Highway. Amends TCA, Title 54, Ch. 5, Pt. 10.

On motion, House Bill No. 2622 was made to conform with Senate Bill No. 2653.

On motion, Senate Bill No. 2653, on same subject, was substituted for House Bill No. 2622.

***House Resolution No. 0099 -- General Assembly, Review Or Ratification of Rules --** Ratifies Uniform Child Support Guideline Rules promulgated by Supreme Court.

***House Joint Resolution No. 0759 -- Highway Signs --** Provides for directional signs for Buffalo River Canoeing on I-40.

***House Joint Resolution No. 0766 -- Highway Signs --** Designates unbuilt bridge on Highway 7 over Span Lick Creek the "Paul C. Tidwell Bridge".

House Joint Resolution No. 0778 -- Naming and Designating -- Designates June 3, 1990 as "Men's Day in Smith County".

***House Joint Resolution No. 0786 -- General Assembly, Statement of Intent or Position --** Expresses need for greater cultural awareness by public officials and employees delivering services to black children.

***House Joint Resolution No. 0787 -- Memorials, Government Officials --** Directs study of disproportionate commitment of blacks to mental health institutions.

House Bill No. 2071 -- Mental Illness -- Lengthens time for having hearing for noncompliance with outpatient treatment. Amends TCA, Title 33.

House Bill No. 2072 -- Mental Retardation -- Lengthens time to give notice to parent or guardian when mentally retarded person is to be released from institution. Amends TCA, Title 33.

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House Bill No. 2052 -- Highway Signs -- Names certain bridge in Pelham Valley in honor Cheatum Oliver.

On motion, House Bill No. 2052 was made to conform with Senate Bill No. 1923.

On motion, **Senate Bill No. 1923**, on same subject, was substituted for House Bill No. 2052.

House Bill No. 2204 -- Teachers -- Establishes community college minority teacher training program. Amends TCA, Title 49, Ch. 4.

House Bill No. 1860 -- Pensions and Retirement Benefits -- Authorizes supplemental retirement plans for public employees under certain circumstances. Amends TCA 8-35-111.

On motion, House Bill No. 1860 was made to conform with Senate Bill No. 2107.

On motion, **Senate Bill No. 2107**, on same subject, was substituted for House Bill No. 1860.

***House Bill No. 1756 -- District Attorneys --** Requires district attorneys general conference to designate executive secretary as fiscal officer.

House Bill No. 2454 -- Tennessee Higher Education Commission -- Requires at least one member of higher education commission be member of principal racial minority in the state. Amends TCA, Titles 49, 67.

On motion, House Bill No. 2454 was made to conform with Senate Bill No. 2073.

On motion, **Senate Bill No. 2073**, on same subject, was substituted for House Bill No. 2454.

***House Joint Resolution No. 0726 -- Memorials, Government Officials --** Directs certain state and local agencies to plan a model program based on Middle College High School.

***House Joint Resolution No. 0736 -- Memorials, Government Officials --** Directs creation of task force to establish early childhood education programs for at-risk children.

***House Joint Resolution No. 0734 -- General Assembly, Statement of Intent or Position --** Expresses support of certain incentives for downtown redevelopment and business recruitment and retention.

***Senate Joint Resolution No. 0525 -- Memorials, Government Officials --** Encourages purchase and study of recycled plastics.

***House Joint Resolution No. 0732 -- Health --** Requests governor to create task force on disadvantaged black males.

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***House Joint Resolution No. 0731** -- Memorials, Government Officials -- Commends Memphis Job Skills Council; calls for better coordination of job training resources as inducement for industrial recruitment and expansion.

House Bill No. 2690 -- South Pittsburg -- Revises charter relative to compensation of mayor and commissioners. Amends Chapter 63, Private Acts of 1917, as amended.

***House Bill No. 1772** -- State Prisoners -- Requires AIDS testing of certain persons convicted of drug offenses or sexual offenses. Amends TCA, Titles 39, 41.

***House Joint Resolution No. 0740** -- General Assembly, Statement of Intent or Position -- Expresses that more African Americans are needed in policy formulation levels of health care industry.

***House Joint Resolution No. 0327** -- Memorials, Government Officials -- Directs state election coordinator and commissioners of personnel, health and environment, employment security, safety, human services and revenue to conduct study on making voter registration more readily available.

***House Bill No. 2657** -- Election Laws -- Requires only computer printout at polling place in lieu of both printout and duplicate registration records if requested by resolution of county legislative body of Lauderdale County. Amends TCA 2-5-216.

On motion, House Bill No. 2657 was made to conform with Senate Bill No. 2685.

On motion, Senate Bill No. 2685, on same subject, was substituted for House Bill No. 2657.

***House Joint Resolution No. 0757** -- Memorials, Government Officials -- Encourages Tennessee Law Enforcement Training Academy to provide instruction in proper procedures for searching and detaining arrested persons.

***Senate Joint Resolution No. 0492** -- General Assembly, Studies -- Continues special joint committee created by SJR 40 studying delivery system for alcohol and drug abuse prevention and treatment services.

***House Resolution No. 0135** -- General Assembly, Studies -- Creates study committee to study proposed state agency for deaf and hearing impaired.

***House Joint Resolution No. 0788** -- General Assembly, Studies -- Directs examination of disclosure of juvenile justice records and negative impact on employment opportunities of reformed youth.

***Senate Joint Resolution No. 0440** -- General Assembly, Studies -- Provides for study of desirability of establishing general public assistance program in Tennessee.

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***House Joint Resolution No. 0724 -- General Assembly, Studies -- Establishes special joint committee to study rights of law enforcement officers under investigation.**

***Senate Joint Resolution No. 0421 -- General Assembly, Studies -- Continues HJR 240, to study the licensing of contractors and subcontractors.**

***House Joint Resolution No. 0785 -- General Assembly, Studies -- Creates study committee on proposed state agency to provide services to hearing impaired.**

***House Bill No. 2661 -- County Government -- Authorizes Smith County highway department to be located outside of county town, if county legislative body approves. Amends TCA 5-7-105.**

On motion, House Bill No. 2661 was made to conform with Senate Bill No. 2692.

On motion, Senate Bill No. 2692, on same subject, was substituted for House Bill No. 2661.

House Bill No. 2674 -- Election Laws -- Requires only computer printout at polling place in lieu of both printout and duplicate registration records if requested by resolution of county legislative body of Carroll or Weakley County. Amends TCA 2-5-216.

On motion, House Bill No. 2674 was made to conform with Senate Bill No. 2700.

On motion, Senate Bill No. 2700, on same subject, was substituted for House Bill No. 2674.

***Senate Joint Resolution No. 0452 -- Memorials, Government Officials -- Extends reporting date of HJR 307 (special study of area delivery systems).**

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Resolution No. 99 was objected to by Rep. Chiles.

House Bill No. 1772 was objected to by Rep. Starnes.

Under the rules, House Resolution No. 99 and House Bill No. 1772 was/were placed at the foot of the calendar for Thursday, April 12, 1990.

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, that all

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Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones R. Shelby, Jones U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Triplett, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Usery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Naifeh moved to suspend Rule No. 17 so that all congratulatory and memorializing resolutions properly lying on the desk can be introduced and placed on a supplemental Consent Calendar, which motion prevailed.

SUPPLEMENTAL CONSENT CALENDAR

House Resolution No. 0216 -- Memorials, Interns -- Honors David Michael Wilkinson, 1990 legislative intern. by *Herron.

Introduced; placed on supplemental consent calendar.

House Joint Resolution No. 0923 -- Memorials, Retirement -- Honors James Barron. by *Wix.

Introduced; placed on supplemental consent calendar.

House Joint Resolution No. 0924 -- Memorials, Retirement -- Honors Frederick Culp on his retirement. by *Davis Ray.

Introduced; placed on supplemental consent calendar.

House Joint Resolution No. 0925 -- Memorials, Sports -- Honors

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Coach Johnny White and Bradford High School boys' basketball team.
by *Davis Ray.

Introduced; placed on supplemental consent calendar.

House Joint Resolution No. 0927 -- Memorials, Professional Achievement -- Honors Robert Henry, President of Tennessee State Employees Association. by *Kisber, *Stallings.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0598 -- Memorials, Condolence -- Honors memory of Willie Mae Hopkins Cosby.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0599 -- Memorials, Public Service -- Honors Patricia Danner.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0600 -- Memorials, Interns -- Honors Susan Tucker, 1990 legislative page.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0601 -- Memorials, Interns -- Honors Taylor Latham, 1990 legislative intern.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0602 -- Memorials, Recognition -- Honors Alethia Armstrong, research analyst.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0606 -- Memorials, Congratulations -- Honors Pleasant Ridge Elementary School, candidate for National Elementary School Recognition Program.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0607 -- Memorials, Recognition -- Honors Winford Pipkins, Sergeant at Arms.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0608 -- Memorials, Recognition -- Honors Virginia Neal, interpreter for Senator Avon Williams.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0610 -- Memorials, Sports -- Honors Coach Rick Insell and Shelbyville High School girl's basketball team, TSSAA Class AAA state champions.

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Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0612 -- Memorials, Public Service --
Honors J. C. Eoff for years of service to Tullahoma.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0614 -- Memorials, Sports -- Honors
Moore County High School Raiderettes basketball team.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0615 -- Memorials, Sports -- Honors
Coffee County Central High School cheerleaders.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0616 -- Naming and Designating --
Designates March 9, 1990 as "Allen & Hoshall Day".

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0618 -- Memorials, Interns --
Commends Roderick Glatt, 1990 legislative intern.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0619 -- Memorials, Retirement --
Honors Judge James M. Haynes of Knoxville.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0620 -- Memorials, Interns -- Honors
Shelly Morris, 1990 legislative intern.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0621 -- Memorials, Interns -- Honors
Michael Alan Belz, 1990 legislative intern.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0625 -- Memorials, Sports -- Honors
Moore County High School Raiders basketball team.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0629 -- Memorials, Recognition --
Commends Associate Degree Nursing Program at Middle Tennessee State University.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0630 -- Memorials, Interns -- Honors
Libby Ann Fogg, 1990 legislative intern.

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Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0632 -- Memorials, Recognition --
Honors Watertown Elementary Students who completed D.A.R.E. program.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0633 -- Memorials, Recognition --
Honors Lakeview Elementary students who completed D.A.R.E. program.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0634 -- Memorials, Interns --
Commends Wesley Forrest Dodge, 1990 legislative intern.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0636 -- Memorials, Interns --
Commends Ashley Fitch, 1990 legislative intern.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0637 -- Memorials, Interns -- Honors
Maija Kristina Raattama, 1990 legislative intern.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0639 -- General Assembly,
Proclamations -- Proclaims 1990 as Year of Woman Suffrage.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0640 -- Memorials, Interns --
Expresses appreciation to Jennifer Rowley, 1990 legislative
page/intern.

Introduced; placed on supplemental consent calendar.

Senate Joint Resolution No. 0594 -- Memorials, Government
Officials -- Directs council on pensions and insurance to conduct
study relative to sick leave policies.

Introduced; placed on supplemental consent calendar.

Rep. Naifeh moved that all House Resolutions and House Joint
Resolutions be adopted, and all Senate Joint Resolutions on the
Consent Calendar be concurred in, which motion prevailed by the
following vote:

Ayes.	94
Noes.	0

Representatives voting aye were: Anderson, Austin, Bell,
Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain,

Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jones, R. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

MOTION TO SUSPEND RULES

Rep. Davis (Gibson) moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 922 out of order, to which Rep. Bragg objected.

***House Joint Resolution No. 0922 --** Memorials, Government Officials -- Urges Department of Education to study TSSAA. by *Davis Ray.

Rep. Rhinehart moved the previous question, which motion prevailed.

Rep. Davis (Gibson) renewed his motion that the rules be suspended for the immediate introduction of House Joint Resolution No. 922, which motion failed by the following vote:

Ayes.	38
Noes.	52
Present and not voting.	4

Representatives voting aye were: Armstrong, Buck, Byrd, Callicott, Coffey, Collier, Crain, Cross, Curlee, Davis (Gibson), DeBerry, DePriest, Duer, Gaia, Gunnels, Hassell, Head, Herron, Hobbs, Holcomb, Holt, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Naifeh, Napier, Ridgeway, Scruggs, Stallings, Turner (Hamilton), Turner, C. (Shelby), Ussery, Wheeler, Wix, Yelton -- 38.

Representatives voting no were: Anderson, Austin, Bell, Bittle, Bivens, Bragg, Burchfield, Burnett, Cain, Chiles, Clark, Cole, Davidson, Davis (Cocke), Davis (Knox), Dixon, Givens, Halteman, Harrill, Henry (Roane), Hillis, Hubbard, Huskey, Jones, U. (Shelby), McAfee, McDaniel, Moody, Moore (Lawrence), Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Rhinehart, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Starnes, Turner, L. (Shelby), Webb, West, Whitson, Williams, Winningham, Wolfe, Wood, Mr. Speaker Murray -- 52.

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Representatives present and not voting were: Good, Haun, Love, Purcell -- 4.

MESSAGE FROM THE SENATE
April 11, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 641; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0641 -- Memorials, Interns -- Honors Daniel Lee Hollingsworth, III, 1990 legislative intern.

MESSAGE FROM THE SENATE
April 11, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 305; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

*Senate Bill No. 0305 -- Taxes, Real Property -- Allows counties local option of having pro rata tax assessments on real property improvements upon approval of the board of equalization. Amends TCA 67-5-603.

REGULAR CALENDAR, CONTINUED

House Bill No. 2302 -- Hospitals and Health Care Facilities -- Changes "nursing home administrator" to "representative of nursing home industry". Amends TCA 68-11-104, 68-11-203, 68-16-102.

Further consideration of House Bill No. 2302, previously considered on April 9, 1990, at which time it was reset to the Calendar for April 11, 1990.

Rep. Starnes moved that House Bill No. 2302 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	75
Noes.	18
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Chiles, Collier, Copeland, Cross, Curlee, Davidson, Davis (Cooke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Good, Gunnels, Harrill, Hassell, Henry (Roane), Herron,

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Hillis, Hobbs, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Naifeh, Napier, Nuber, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Winningham, Wood, Yelton, Mr. Speaker Murray -- 75.

Representatives voting no were: Callicott, Coffey, Cole, Halteman, Haun, Head, Holcomb, Kent, Moody, Moore (Shelby), Niceley, Odom, Shirley, Stamps, Ussery, Whitson, Williams, Wolfe -- 18.

Representatives present and not voting were: Severance -- 1.

A motion to reconsider was tabled.

***House Joint Resolution No. 0744** -- Memorials, Government Officials -- Directs utilization of more black owned firms when contracting for advertising, publishing and marketing services.

Further consideration of House Joint Resolution No. 744, previously considered on April 9, 1990, at which time it was reset to the Calendar for April 11, 1990.

Rep. Pruitt moved that House Joint Resolution No. 744 be adopted, which motion prevailed.

A motion to reconsider was tabled.

***House Bill No. 2651** -- Election Laws -- Requires only computer printout at polling place in lieu of both printout and duplicate registration records if requested by resolution of county legislative body of McMinn County. Amends TCA 2-5-216.

Further consideration of House Bill No. 2651, previously considered on April 9, 1990, at which time it was reset to the Calendar for April 11, 1990.

Rep. Webb moved that House Bill No. 2651 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love,

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McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Rinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

House Bill No. 0671 -- Pensions and Retirement Benefits -- Revises retirement law for certain local government service. Amends TCA, Title 8.

Further consideration of House Bill No. 671, previously considered on April 9, 1990, at which time it was reset to the Calendar for April 11, 1990.

On motion, House Bill No. 671 was made to conform with Senate Bill No. 650.

On motion, Senate Bill No. 650, on same subject, was substituted for House Bill No. 671.

Rep. Copeland moved that Senate Bill No. 650 be passed on third and final consideration.

Rep. Copeland moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 650 by adding before the effective date section the following new section and by renumbering the effective date section accordingly:

Section ____ Section 3 of Chapter ____ of the Public Acts of 1990 (House Bill No. 1798 / Senate Bill No. 2013) is deleted in its entirety.

Rep. U. Jones moved that Amendment No. 1 be tabled, which motion failed by the following vote:

Ayes.	26
Noes.	67

Representatives voting aye were: Armstrong, Cain, Cross, DeBerry, DePriest, Dixon, Good, Harrill, Head, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Love, Moody, Moore (Shelby), Niceley, Nuber, Pruitt, Rhinehart, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Turner, L. (Shelby), Ussery -- 26.

Representatives voting no were: Anderson, Austin, Bell, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles,

Clark, Coffey, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Duer, Gaia, Givens, Gunnels, Halteman, Hassell, Haun, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Kent, McAfee, McDaniel, Moore (Lawrence), Naifeh, Napier, Odom, Peroulas, Phillips, Pinion, Purcell, Ridgeway, Robinson (Davidson), Scruggs, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 67.

Thereupon, Rep. Copeland renewed the motion to adopt Amendment No. 1.

Rep. Jackson moved the previous question, which motion prevailed.

On motion, Amendment No. 1 was adopted by the following vote:

Ayes.	73
Noes.	24

Representatives voting aye were: Anderson, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Duer, Givens, Good, Gunnels, Halteman, Hassell, Haun, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Kent, Kisber, McAfee, McDaniel, Moore (Lawrence), Naifeh, Napier, Nicley, Odom, Peroulas, Phillips, Pinion, Purcell, Ridgeway, Robinson (Davidson), Scruggs, Severance, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 73.

Representatives voting no were: Armstrong, Cross, DeBerry, DePriest, Dixon, Gaia, Harrill, Head, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Love, Moody, Moore (Shelby), Nuber, Pruitt, Rhinehart, Robinson (Hamilton), Robinson (Washington), Shirley, Turner, L. (Shelby), Ussery, Webb -- 24.

Rep. Chiles moved the previous question, which motion failed by the following vote:

Ayes.	46
Noes.	44

Representatives voting aye were: Anderson, Bell, Bittle, Bivens, Bragg, Burchfield, Burnett, Byrd, Cain, Chiles, Clark, Coffey, Cole, Collier, Crain, Davis (Cocke), Davis (Gibson), Duer, Gaia, Givens, Gunnels, Halteman, Henry (Roane), Herron, Hobbs, Holcomb, Hubbard, Huskey, Jackson, Kent, McAfee, Naifeh, Odom, Peroulas, Pinion, Purcell, Ridgeway, Scruggs, Turner (Hamilton), Turner, C. (Shelby), Webb, West, Whitson, Winningham, Wix, Wolfe -- 46.

Representatives voting no were: Armstrong, Austin, Buck,

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Callicott, Cross, Davidson, Davis (Knox), DeBerry, DePriest, Dixon, Harrill, Hassell, Haun, Head, Hillis, Holt, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Love, McDaniel, Moody, Moore (Shelby), Napier, Niceley, Nuber, Phillips, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner, L. (Shelby), Ussery, Wheeler, Williams, Wood -- 44.

RULES SUSPENDED

Rep. Burnett moved to suspend Rule No. 76 to allow the House to continue meeting past 7:00 p.m., which motion prevailed.

REGULAR CALENDAR, CONTINUED

Rep. Rhinehart moved adoption of Council on Pensions and Insurance Amendment No. 1 as follows:

Amendment No. 2

Senate Bill No. 650 is amended by deleting amendatory language in its entirety and substituting the following:

Section 1. Tennessee Code Annotated, Title 8, Chapter 35, Part 2, is amended by adding the following new section:

Any present employee of a county that covered one of its departments under the retirement system effective December 1, 1973 and extended such coverage to the remainder of its departments on July 1, 1977, under the provisions of this part shall be eligible for retirement credit for service rendered to such employer if all the following conditions are met:

(1) Such employee was in service on the political subdivision's date of participation and is in service on the date the county authorizes the provision of this act;

(2) Service rendered prior to the political subdivision's date of participation shall be granted under the same terms and conditions which apply to other employees employed by the political subdivision on the date of participation;

(3) For service rendered after the department's date of participation the member must pay in a lump sum the amount he would have paid had he been a member for the period claimed, plus interest as provided in Tennessee Code Annotated, Section 8-37-214;

(4) The participating political subdivision authorizes and pays for the cost of an actuarial study to determine the liability associated with the granting of such service credit. Following review of the cost of granting such service, the chief governing body of the political subdivision passes a resolution authorizing such service credit and accepting the liability therefore; and

(5) The service credit authorized by this act must be established by the member prior to January 1, 1991.

(6) Any present employee participating in a local government pension plan may establish service credit in TCRS only if his credit is withdrawn from such local government pension plan. It is the legislative intent that an employee shall not be eligible to receive employer provided benefits from both a local government plan and TCRS for the same period of service.

(7) It is the legislative intent that the state shall realize no increased cost as a result of this act. All costs associated with service granted pursuant to this section shall be the responsibility of the county.

Section 2. This act shall take effect upon becoming law, the public welfare requiring it.

Rep. Turner (Hamilton) moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes.	74
Noes.	18
Present and not voting.	1

Representatives voting aye were: Anderson, Austin, Bell, Bittle, Bivens, Bragg, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Duer, Gaia, Givens, Good, Gunnels, Halteman, Hassell, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Jackson, Kent, King, Kisber, McAfee, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Scruggs, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 74.

Representatives voting no were: Armstrong, Buck, Cross, DeBerry, Haun, Head, Huskey, Jones, R. (Shelby), Jones, U. (Shelby),

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Kernell, Love, McDaniel, Moore (Shelby), Nuber, Robinson (Washington), Severance, Shirley, Ussery -- 18.

Representatives present and not voting were: Robinson (Hamilton) --- 1.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from no to aye on the motion to table Amendment No. 1 to Senate Bill No. 650 and have this statement entered in the Journal.

Rep. Frank Buck

REGULAR CALENDAR, CONTINUED

Rep. Dixon moved to amend as follows:

Amendment No. 3

Amend Senate Bill No. 650 by deleting all the language following the enacting clause and by substituting instead the following:

Section 1. Tennessee Code Annotated, Title 8, Chapter 35, Part 2, is amended by adding the following new section:

Section ____.

(a) Notwithstanding any provision of the law to the contrary, for a period of sixty (60) days after the effective date of this act, the members of the Shelby County Election Commission shall be authorized to elect to participate in the Tennessee consolidated retirement system if all of the following conditions are met:

(1) The chief legislative body of Shelby County passes a resolution authorizing an actuarial study to determine the liability associated with such membership, and accepting responsibility for the costs of such study; and

(2) Following receipt of the actuarial study, the Shelby County legislative body passes a resolution authorizing such participation and accepting the liability therefor.

(b) Each member of the Shelby County Election Commission electing to participate will

make the same contributions, participate in the same manner, and will be eligible for the same benefits as employees of local governments participating in the retirement system under this part.

(c) Each commissioner electing to participate will be entitled to credit for prior service as approved by the legislative body of Shelby County under the same provisions which apply to employees of participating local governments.

(d) The retirement system shall not be liable for the payment of retirement allowance or other payments on account of such commissioners electing to participate or their beneficiaries, for which reserves have not been previously created from funds contributed by the local government and/or its employees.

(e) It is the legislative intent that the state shall realize no increased cost as a result of this section. All costs associated with retirement coverage, including administrative costs, shall be the responsibility of Shelby County.

(f) The provisions of this section shall not be construed to require Shelby County to extend coverage to any other employees of the local government.

Section 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Section 3. This act shall take effect July 1, 1990, the public welfare requiring it.

Rep. Clark moved that Amendment No. 3 be tabled, which motion prevailed by the following vote:

Ayes.	60
Noes.	26
Present and not voting.	2

OR

Representatives voting aye were: Anderson, Austin, Bell, Bittle, Bivens, Buck, Burchfield, Burnett, Byrd, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), Duer, Gaia, Gunnele,

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Halteman, Hassell, Henry (Roane), Herron, Hobbs, Holcomb, Holt, Hubbard, Huskey, Kent, Kisber, McAfee, Moore (Lawrence), Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Pinion, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), West, Whitson, Williams, Winningham, Wolfe, Wood, Yelton -- 60.

Representatives voting no were: Armstrong, Cain, Cross, Davidson, DeBerry, DePriest, Dixon, Good, Harrill, Haun, Hillis, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, Love, McDaniel, Moody, Moore (Shelby), Niceley, Pruitt, Rhinehart, Robinson (Washington), Severance, Sipes, Starnes, Turner, L. (Shelby) -- 26.

Representatives present and not voting were: Bragg, Head -- 2.

Rep. Bivens moved the previous question, which motion prevailed by the following vote:

Ayes	65
Noes	31

Representatives voting aye were: Anderson, Austin, Bell, Bittle, Bivens, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Duer, Gaia, Givens, Gunnels, Halteman, Hassell, Henry (Roane), Herron, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Kent, Kisber, McAfee, Moore (Lawrence), Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Pinion, Purcell, Ridgeway, Robinson (Davidson), Scruggs, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Webb, West, Wheeler, Whitson, Winningham, Wix, Wood -- 65.

Representatives voting no were: Armstrong, Bragg, Cross, DeBerry, DePriest, Dixon, Good, Harrill, Haun, Head, Hillis, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Love, McDaniel, Moore (Shelby), Niceley, Pruitt, Rhinehart, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Turner, L. (Shelby), Ussery, Williams, Wolfe, Yelton, Mr. Speaker Murray -- 31.

Thereupon, Rep. Copeland moved that Senate Bill No. 650, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	74
Noes	17
Present and not voting	2

Representatives voting aye were: Anderson, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Cole, Collier, Copeland, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Duer, Givens, Good, Gunnels, Halteman, Haun, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Kent, Kisber, McAfee, McDaniel, Moore (Lawrence), Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Pinion, Purcell, Ridgeway,

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Robinson (Davidson), Scruggs, Severance, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 74.

Representatives voting no were: Armstrong, Cross, Dixon, Gaia, Hassell, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Moore (Shelby), Niceley, Pruitt, Rhinehart, Robinson (Washington), Shirley, Turner, L. (Shelby), Ussery -- 17.

Representatives present and not voting were: Love, Robinson (Hamilton) -- 2.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from no to aye on Senate Bill No. 650 and have this statement entered in the Journal.

Rep. Joyce Hassell

MESSAGE FROM THE SENATE April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Bill No. 2646.

The Senate lifted the tabling motion, reconsidered passage of the bill, adopted Amendment No. 1, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM SENATE April 11, 1990

MR. SPEAKER: I am directed to request the return of House Bill No. 1868, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL RETURNED

There being no objection, Rep. Burnett asked that the Clerk be directed to return House Bill No. 1868 to the Senate as requested.

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MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2347; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Bill No. 1868.

The Senate lifted the tabling motion, reconsidered passage of the bill, adopted Amendment No. 14, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.
Chief Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2452; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2545; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1800; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REGULAR CALENDAR, CONTINUED

House Bill No. 2149 -- Psychologists -- Revises oversight by board of examiners in psychology; authorizes certification of specialties. Amends TCA 63-11-208.

Further consideration of House Bill No. 2149, previously considered on April 9, 1990, at which time it was reset to the Calendar for April 11, 1990.

On motion, House Bill No. 2149 was made to conform with Senate Bill No. 1630.

On motion, Senate Bill No. 1630, on same subject, was substituted for House Bill No. 2149.

Rep. West moved that Senate Bill No. 1630 be passed on third and final consideration.

Rep. Cain moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 1630 by deleting from Section 3 the word and figures "January 1, 1991" and by substituting instead the word and figures "March 1, 1991".

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. West moved that Senate Bill No. 1630, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes	4

Representatives voting aye were: Anderson, Armstrong, Austin, Bell, Bittle, Bivens, Bragg, Buck, Burchfield, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kisber, Love, McAfee, McDaniel, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Love, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 87.

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Representatives voting no were: Cole, Haun, Kent, Winningham
-- 4.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1777; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REGULAR CALENDAR, CONTINUED

House Bill No. 2679 -- Lawrence County -- Prohibits location of solid waste disposal facilities from other counties or cities unless the county legislative body approves such facilities.

Further consideration of House Bill No. 2679, previously considered on April 9, 1990, at which time it was reset to the Calendar for April 11, 1990.

Rep. Moore (Lawrence) moved that House Bill No. 2679 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	79
Noes.	8
Present and not voting.	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Callicott, Coffey, Cole, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Gaia, Givens, Gunnels, Hassell, Head, Henry (Roane), Herron, Hillis, Hobbs, Holt, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Kisber, McAfee, McDaniel, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 79.

Representatives voting no were: Austin, Burchfield, Cain, Chiles, Harrill, Haun, Stamps, West -- 8.

Representatives present and not voting were: Holcomb -- 1.

A motion to reconsider was tabled.

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Senate Bill No. 2109 -- Education -- Permits criteria to withhold student records until certain debts are paid. Amends TCA 49-1-302.

Further consideration of Senate Bill No. 2109, previously considered on April 9, 1990, at which time it was substituted for House Bill No. 1808 and passed. The bill was reconsidered and placed as a special order on the calendar for April 11, 1990.

Rep. Henry (Putnam) moved that Senate Bill No. 2109 be reset to the Calendar for Thursday, April 12, 1990, which motion prevailed.

House Bill No. 2560 -- Taxes, Real Property -- Enacts "Beneficial Use Tax Act of 1990". Amends TCA, Title 67, Ch. 4, Pt. 5; Title 67, Ch. 5, Pt. 2.

Further consideration of House Bill No. 2560, previously considered on April 4 and April 9, 1990, at which time Amendment No(s). 1 and 2 were adopted, and the bill was reset to the Calendar for April 11, 1990.

Rep. Wheeler moved that the House reconsider its action in adopting Amendment No. 2, which motion prevailed. On motion, Amendment No. 2 was withdrawn.

Rep. Wheeler moved that House Bill No. 2560 be passed on third and final consideration.

Rep. Stamps moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Winningham moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Bragg moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Clark moved to amend as follows:

Amendment No. 3

Amend House Bill No. 2560 by adding the following new section immediately preceding the effective date section and by renumbering the subsequent section accordingly:

Section ____ If any provision of this act or the application thereof to any person or circumstance is held invalid, then all provisions and applications of this act are declared to be invalid and void.

On motion, Amendment No. 3 was adopted.

Rep. Dixon moved that Amendment No. 4 be withdrawn, which motion prevailed.

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Rep. Holcomb moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Holcomb moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Pinion moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Wheeler moved to amend as follows:

Amendment No. 4

Amend House Bill No. 2560 by redesignating Section 3(3) to be subdivision (3)(A) and by adding a new subdivision (3)(B), as follows:

(3)(B) "Business" does not include any for-profit corporation operating on tax exempt property of five thousand (5,000) acres or less as of the effective date of this act. There may be more than one (1) such for-profit corporation in a county provided each location is under separate ownership. This exemption shall continue to apply even though the size of a location or tract may at a time in the future be enlarged or expanded so as to become greater in size than five thousand (5,000) acres.

On motion, Amendment No. 4 was adopted.

Rep. Wheeler moved to amend as follows:

Amendment No. 5

Amend House Bill No. 2560 by adding language at the end of subsection (3) of the amendatory language of Section 6 as follows:

The determination of the value of the use of the property may be determined by the commissioner based either on the report of the trustee, the assertion of the taxpayer, or on such other information as the commissioner may determine to be more accurate. The determination of the value of the use of the property shall neither be considered to be a contested case under Title 4, Chapter 5 nor shall it be considered to be an action subject to administrative hearing under Section 67-1-105. Any tax assessment based on such value may be appealed pursuant to the provisions of Title 67, Chapter 1, Part 18.

On motion, Amendment No. 5 was adopted.

Rep. Wheeler moved to amend as follows:

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Amendment No. 6

Amend House Bill No. 2560 by adding the following language at the end of Section 3(A):

Business shall not include any activity engaged in by a not-for-profit corporation.

On motion, Amendment No. 6 was adopted.

Rep. Head move that Amendment No. 7 be withdrawn, which motion prevailed.

Thereupon, Rep. Wheeler moved that House Bill No. 2560, as amended, be passed on third and final consideration, which motion failed by the following vote:

Ayes.	49
Noes.	37
Present and not voting.	2

Representatives voting aye were: Anderson, Austin, Bell, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Coffey, Collier, Crain, Cross, Davidson, Davis (Cocke), DePriest, Duer, Gaia, Good, Gunnels, Head, Henry (Roane), Herron, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Kernell, Kisber, Moody, Moore (Lawrence), Naifeh, Napier, Niceley, Phillips, Pruitt, Ridgeway, Robinson (Hamilton), Robinson (Washington), Stallings, Turner (Hamilton), Turner, C. (Shelby), Webb, Wheeler, Whitson, Winningham, Yelton -- 49.

Representatives voting no were: Armstrong, Bittle, Burchfield, Burnett, Cain, Clark, Cole, Curlee, Davis (Gibson), Davis (Knox), DeBerry, Givens, Halteman, Harrill, Hassell, Hobbs, Jones, R. (Shelby), Jones, U. (Shelby), Kent, McAfee, McDaniel, Moore (Shelby), Nuber, Peroulas, Pinion, Purcell, Rhinehart, Robinson (Davidson), Scruggs, Severance, Sipes, Stamps, Turner, L. (Shelby), West, Williams, Wolfe, Wood -- 37.

Representatives present and not voting were: Dixon, Haun -- 2.

Pursuant to Rule No. 39, House Bill No. 2560, having failed to receive a constitutional majority, was re-referred to the Calendar and Rules Committee.

MESSAGE FROM THE SENATE
April 11, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 423; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk

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*Senate Joint Resolution No. 8423 -- General Assembly, Studies
-- Creates special joint committee for utilization of ancillary health care.

REGULAR CALENDAR, CONTINUED

House Bill No. 2680 -- Lewis County -- Prohibits location of solid waste disposal facilities from other counties or cities unless the county legislative body approves such facilities.

Further consideration of House Bill No. 2680, previously considered on April 9, 1990, at which time it was reset to the Calendar for April 11, 1990.

Rep. Moore (Lawrence) moved that House Bill No. 2680 be passed on third and final consideration.

Rep. Hobbs moved to amend as follows:

Amendment No. 1

Amend House Bill No. 2680 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section ____ The provisions of this act shall also apply in counties having a population, according to the 1980 federal census or any subsequent federal census of:

not less than

48,400

58,075

34,800

19,200

51,025

21,325

27,900

19,650

26,400

32,700

23,850

12,725

49,400

84,000

30,000

15,100

10,800

6,000

13,900

nor more than

48,500

58,175

34,900

19,300

51,125

21,425

27,920

19,725

26,500

32,760

23,900

12,825

49,500

84,100

30,100

15,200

10,900

6,125

13,947

On motion, Amendment No. 1 was adopted.

Rep. Holt moved to amend as follows:

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Amendment No. 2

Amend House Bill No. 2680 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall also apply in any county having a population, according to the 1980 federal census or any subsequent federal census of:

not less than
34,600

nor more than
34,700

On motion, Amendment No. 2 was adopted.

Rep. Stamps moved to amend as follows:

Amendment No. 3

Amend House Bill No. 2680 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall also apply in any county having a population, according to the 1980 federal census or any subsequent federal census of:

not less than
85,725

nor more than
85,825

Rep. Moore (Lawrence) moved that House Bill No. 2680 be reset to the Calendar for Thursday, April 12, 1990, which motion prevailed.

RECESS MOTION

Rep. Deberry moved to recess until Thursday, April 12, 1990, at 9:00 a.m., which motion prevailed by the following vote:

Ayes.	44
Noes.	43
Present and not voting.	2

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Burchfield, Byrd, Cain, Chiles, Collier, Copeland, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Givens, Gunnels, Harrill, Haun, Head, Hobbs, Holcomb, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Love, McDaniel, Moore (Lawrence), Niceley, Phillips, Pinion, Pruitt, Robinson (Hamilton), Scruggs, Starnes, Ussery, Webb, Whitson, Williams, Yelton -- 44.

Representatives voting no were: Austin, Bivens, Bragg, Buck,

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Burnett, Callicott, Clark, Cole, Cross, Curlee, Davidson, DePriest, Duer, Good, Halteman, Hassell, Henry (Roane), Herron, Hillis, Holt, Hubbard, Kent, McAfee, Moody, Moore (Shelby), Naifeh, Napier, Nuber, Peroulas, Rhinehart, Ridgeway, Robinson (Washington), Severance, Shirley, Sipes, Stallings, Stamps, Turner, C. (Shelby), Turner, L. (Shelby), West, Wix, Wolfe, Wood -- 43.

Representatives present and not voting were: Purcell, Winningham -- 2.

BILLS RESET

Pursuant to Rule No. 49, the following items on the calendar were reset to the head of the Calendar for Thursday, April 12, 1990: House Bills Nos. 1805, 2232, 2360, 2533, 1943, 2003, 2250, 2682, 1159, 1987, 2654, 1993, 120, 2531, 2658, 2119, 2270; House Resolution No. 97; House Bills Nos. 925 and 926; Senate Bill No. 1657; House Bills Nos. 2121, 2444, 2447, 1754, 2007, 2479, 1728, 2146, 2030, 1845, 1109, 2088; House Joint Resolution No. 735; House Bill No. 2063; Senate Bill No. 2502; House Bills Nos. 2078, 1572, 1570, 1322, 121, 2245, 2505, 2449; House Joint Resolution No. 729; House Bills Nos. 2001, 2267, 1966, 2248, 1274, 189; House Joint Resolution No. 689; House Bills Nos. 2230, 1140; House Resolution No. 141; House Bills Nos. 2422, 2494, 2038, 1964, 2420, 2031, 2427, 2215, 1394, 2404, 2424, 2383, 1787, 2258, 2536, 559, 1946, 2419, 1939, 1796, 1582, 2362, 1641, 2363, 2024, 1769, 2450, 2252, 1554, 2393, 2687, 2541, 2035, 2361, 1969, 2397, 2145, 2670 and 820.

BILLS WITHDRAWN

On motion of Rep. Callicott, House Bill No. 2288, previously placed on tomorrow's calendar, was withdrawn from the House.

On motion of Rep. Robinson (Davidson), House Bill No. 2209 was recalled from the Calendar and Rules Committee.

On motion of Rep. Robinson (Davidson), House Bill No. 2209 was withdrawn from the House.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1274: Rep(s). Hobbs added as prime sponsor(s).

House Bill No. 1394: Rep(s). Hobbs added as prime sponsor(s).

House Bill No. 1777: Rep(s). Moody added as prime sponsor(s).

House Bill No. 1987: Rep(s). Hillis added as prime sponsor(s).

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House Bill No. 1993: Rep(s). Purcell added as prime sponsor(s).

House Bill No. 2021: Rep(s). Starnes added as prime sponsor(s).

House Bill No. 2078: Rep(s). Herron added as prime sponsor(s).

House Bill No. 2138: Rep(s). Wolfe added as prime sponsor(s).

House Bill No. 2260: Rep(s). Hobbs added as prime sponsor(s).

House Bill No. 2272: Rep(s). Kernell added as prime sponsor(s).

House Bill No. 2339: Rep(s). Turner (Hamilton) added as prime sponsor(s).

House Bill No. 2533: Rep(s). Bivens, Clark and Jackson added as prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

House Resolution No. 217 -- Memorials, Sports -- Honors Coach Ron Kerley and Gibbs High School boys' basketball team. by *Davis J K.

The Speaker referred House Resolution No. 217 to the Calendar and Rules Committee.

***House Joint Resolution No. 886 -- Highway Signs -- Provides for directional signs to Goodlark Medical Center.** by *Collier.

The Speaker referred House Joint Resolution No. 886 to the Calendar and Rules Committee.

House Joint Resolution No. 906 -- Highway Signs -- Designates certain portion of US Highway 99 East, Bradyville Pike as "E. A. Bowman Highway".

The Speaker referred House Joint Resolution No. 906 to the Calendar and Rules Committee.

House Joint Resolution No. 928 -- Memorials, Retirement -- Honors Dorothy Grace Ventress Durham. by *Wix.

The Speaker referred House Joint Resolution No. 928 to the Calendar and Rules Committee.

House Joint Resolution No. 929 -- Memorials, Public Service -- Commends sponsors of Fire Safety House program. by *West.

The Speaker referred House Joint Resolution No. 929 to the Calendar and Rules Committee.

House Joint Resolution No. 930 -- Memorials, Retirement -- Honors Joe Taylor, Mayor of Brownsville. by *Crain.

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The Speaker referred House Joint Resolution No. 930 to the Calendar and Rules Committee.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Senate Joint Resolution No. 641 -- Memorials, Interns -- Honors Daniel Lee Hollingsworth, III, 1990 legislative intern.

The Speaker referred Senate Joint Resolution No. 641 to the Calendar and Rules Committee.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 2692 -- County Government -- Authorizes Smith County highway department to be located outside of county town, if county legislative body approves. Amends TCA, Title 5, Ch. 7.

Held on the Clerk's desk pending third consideration of companion *House Bill No. 2661.

***Senate Bill No. 2697 -- Election Laws -- Provides printout containing names and addresses of all eligible voters and space for signature at each polling place in Gibson County. Amends TCA 2-5-216.**

Held on the Clerk's desk pending third consideration of companion House Bill No. 2670.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted.

House Bill No. 2688 -- Whiteville -- Passed second consideration and held on the Clerk's desk pending approval by local delegation.

House Bill No. 2689 -- Somerville -- Passed second consideration and held on the Clerk's desk pending approval by local delegation.

House Bill No. 2691 -- Charlotte -- Passed second consideration and held on the Clerk's desk pending approval by local delegation.

House Bill No. 2692 -- Milan -- Passed second consideration and held on the Clerk's desk pending approval by local delegation.

House Bill No. 2693 -- Columbia -- Passed second consideration and held on the Clerk's desk pending approval by local delegation.

House Bill No. 2694 -- Kingston -- Passed second consideration and held on the Clerk's desk pending approval by local delegation.

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House Bill No. 2695 -- Housing -- Passed second consideration and referred to the Labor and Consumer Affairs Committee.

House Bill No. 2696 -- Weakley County -- Passed second consideration and held on the Clerk's desk pending approval by local delegation.

DELAYED BILLS REFERRED

Pursuant to Rule No. 78, House Bill(s) No(s). 2695, was/were referred to the Delayed Bills Committee.

**REPORT OF DELAYED BILLS COMMITTEE
April 11, 1990**

Pursuant to Rule No. 78, we the undersigned members of the Delayed Bills Committee have approved the following general bill to be heard by the appropriate standing committee: House Bill No. 2695.

Ed Murray, Speaker
Jimmy Naifeh
John Chiles, Jr.

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES
April 11, 1990**

In accordance with Rule No. 48, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 2637, 2681, 2688, 2689, 2691, 2692, 2693, 2694 and 2696.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
April 11, 1990**

MR. SPEAKER: The officers of your Calendar and Rules Committee beg leave to report that we have set the following bill(s) and/or resolution(s) on the Consent Calendar for Thursday, April 12, 1990: House Joint Resolution(s) No(s). 929 and 930; Senate Joint Resolution(s) No(s). 641; House Bill(s) No(s). 2637, 2681, 2688, 2689, 2691, 2692, 2693, 2694 and 2696; House Resolution(s) No(s). 217; also, House Joint Resolution(s) No(s). 928.

PHILLIPS, Chairman.

**MESSAGE FROM THE SENATE
April 11, 1990**

MR. SPEAKER: I am directed to return to the House, House Joint

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Resolution(s) No(s). 511, 608, 617, 618, 642, 771, 804, 813, 814, 815, 817, 818, 819, 820, 821, 822, 828, 829, 830, 831, 832, 833, 835, 836, 837, 840, 841, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 854 and 860; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 920; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1758, 1864 and 2282; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
April 11, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2632 and 2684; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED
April 11, 1990

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 2632 and 2684.

ENGROSSED BILLS
April 11, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 2302; also, House Joint Resolution(s) No(s). 327, 744, 759, 788 and 926; and

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find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS
April 11, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 2651; also, House Joint Resolution(s) No(s). 732, 734, 736, 740, 757, 766, 778, 785, 923, 924, 925 and 927; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS
April 11, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1756, 2071, 2072, 2204, 2598 and 2690; also, House Joint Resolution(s) No(s). 724, 726, 731, 786 and 787; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1727, 1750, 1832, 1999, 2135, 2340, 2375, 2387 and 2558; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS
April 11, 1990

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 2679; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

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MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2710; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Bill No. 2710 -- Robertson County -- Levies hotel motel tax.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1871; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2368; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 583, 1963 and 2359; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

*Senate Bill No. 0583 -- Medicine, Practice of -- Requires proof of completion of approved United States training programs prior to licensure. Amends TCA, Title 63, Ch. 6.

*Senate Bill No. 1963 -- Solid Waste Disposal -- Prohibits counties and municipalities outside county from applying for landfill permit in county. Amends TCA 68-31-106.

Senate Bill No. 2359 -- Parks, Natural Areas Preservation -- Prohibits certain activities within certain distance of scenic rivers. Amends TCA, Title 11, Ch. 13; Title 68.

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MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 558, 619, 1011, 1084, 1611, 1797, 1811, 2255, 2277, 2353, 2434, 2447, 2469, 2475, 2542, 2559, 2569, 2579, 2639, 2655, 2667 and 2669; also, Senate Joint Resolution(s) No(s). 458, 517, 521, 580 and 583; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

April 11, 1990

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 625, 654, 685, 743, 855, 856, 857, 858, 859, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899 and 900; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

April 11, 1990

The Speaker announced that he had signed the following: Senate Bill(s) No(s). 33, 1614, 1621, 1658, 1803, 1841, 1854, 1866, 2010, 2058, 2096, 2139, 2164, 2169, 2197, 2234, 2343, 2349, 2367, 2393, 2397, 2428, 2430, 2445, 2489, 2498, 2509, 2512, 2518, 2528, 2562, 2642, 2690, 2701, 2703 and 2711; also Senate Joint Resolution(s) No(s). 105, 132, 262, 270, 431, 455, 457, 471, 483, 518, 519, 520, 522, 526, 555, 558, 559, 561, 565, 566, 568, 569, 570, 573, 574, 577, 578, 579, 581, 582, 585, 586, 587, 588, 590, 595, 605 and 609.

ADJOURNMENT

Pursuant to Rep. DeBerry's earlier motion, the House adjourned until 9:00 a.m., Thursday, April 12, 1990.